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# East Europe Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

No. 2112

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NEW WARSAW PACT UTILITY TRUCK DESCRIBED

Frankfurt/Main SOLDAT UND TECHNIK in German Vol 25 No 12, Dec 82 p 695

[Article signed 'r/c': "New URAL Truck for Warsaw Pact Forces--Propulsion Formula 6 x 6 / Diesel Instead of Gasoline Engine"]

[Text] The URAL-375 D truck, which was first introduced into the Soviet army at the beginning of the 1960's, has been superseded since the end of the 1970's by a new series of URAL models. Replacement of the truck, which is widely used by the armed forces of the Warsaw Pact, now seems to be imminent in the "National People's Army" (NPA) of the GDR, or to have already begun.

The new URAL truck of this series carries the designations URAL-4320 and URAL-43 202, the new tractor trucks are the URAL-4420 and URAL-44 202. The most important difference between these models and the URAL-375 D and its modified versions is the new motor. They are equipped with a four-stroke YaMZ 740 diesel engine,<sup>2</sup> manufactured by the KAMA automobile works, instead of a gasoline engine. This V-8 engine produces 155 kW (210 hp) at 2,600 revs/min and 638 N·m torque at 1,600 revs/min. By using this motor, the acceleration and speed of the vehicles are increased and fuel consumption is reduced. The KAMA works has also taken on the assembly of the clutch and transmissions, in addition to the motor, as well as the instruments and controls in the three-seat cab. For the rest--after modifying the frame and the cab to suit the different components--all the other components of the URAL-375 D were used. Worthy of mention is a new high-performance prestart heater, which is used in all vehicles of the new model series and allows operation even in extremely low temperatures. About 30 minutes are required for preheating at -40°C.

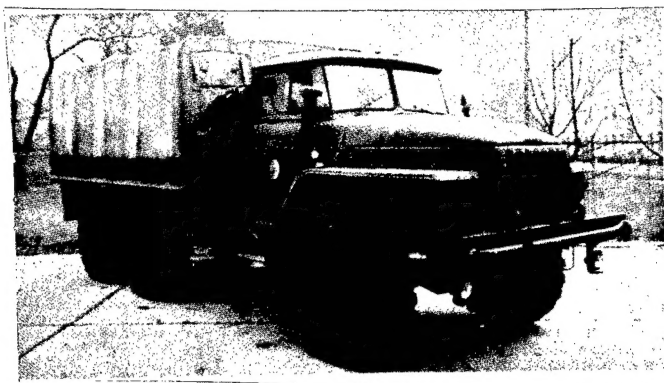
The URAL-4320 truck and the URAL-4420 tractor truck are clearly the new standard /military/ [in italics] models of the URAL series. In contrast to the URAL-43 202 and the URAL-44 202 tractor truck, they are equipped with tire pressure regulating equipment, wading equipment and auxiliary fuel tanks and they have greater ground clearance. The URAL-4320 truck can additionally be fitted with a winch of 70 MN pulling power. It is also a little faster than the URAL-43-202 and has better hill-climbing ability.

1. These include the URAL-375 S tractor truck and the ATs-5-375 field fuel tanker.
2. Also called KamAZ 740 after the manufacturer.

The URAL-43 202 truck and the URAL-44 202 tractor truck are equipped with different wheels and tires and can move higher payloads and/or trailer loads. They are probably intended for civilian use. The table gives additional technical data.

In additions to the models mentioned, variations with chassis without a pickup bed, with a lengthened chassis for an enclosed body and other versions are being built. Among them are the ATMZ-5-4320 field tanker, which can carry 5,000 liters of fuel and 250 liters of lubricant (see No 5/8/, p 247). The URAL-4320 will probably also replace the URAL-375 D as the carrier vehicle for the BM-21 general purpose rocket launcher.

The first tests with a diesel-engine powered URAL model began in 1972. The first prototypes of the URAL-4320 started factory testing in 1973; volume production probably did not begin until the second half of the 1970's. In the estimation of the NPA periodical MILITAERTECHNIK, the replacement of the URAL-375 D by the URAL-4320 represents a "real increase in combat readiness." Our photograph shows a URAL-4320 of the NPA.



#### Technical Data for the New URAL Transport Vehicles

		URAL-4320 Truck	URAL-4420 Tractor	URAL-43 202 Truck	URAL-44 202 Tractor
Length	mm	7366	7100	7611	6836
Width	mm	2500	2500	2500	2500
Height	mm	2870	2680	2600	2600
Wheelbase Front	mm	3525	3525	3525	3525
Wheelbase Rear	mm	1400	1400	1400	1400
Track Front	mm	2000	2000	2020	2020
Track Rear	mm	2000	2000	2020	2020
Ground Clearance	mm	400	400	325	325
Ramp Angle Front	degrees	45	44	42	42
Ramp Angle Rear	degrees	40	45	38	70
Turning Circle	ms	22.8	22.8	22.8	22.8

Weight Empty	kg	8020 <sup>1</sup>	7800	7900	7390
Load Weight (Fifth Wheel Weight)					
--Highway	kg	5000	5500	7000	7500
--Off-Road	kg	-	-	5000	5000
Trailer Weight					
--Highway	kg	7000	15,000	11,500	18,500
--Off-Road	kg	-	-	7000	12,500
Axle Load, Permissible, Front Axle	kg	4350	4330	4400	4290
Axle Load, Permissible, Rear Axles	kg	9075	9150	10,725	10,890
Maximum Speed	kms/h	85	72	80	72
Hill Climbing Ability	%	58	28	50	28
Wading Capability	ms	1.5	1.5	0.8	0.8
Fuel Capacity					
--Main Tank	liters	210	300	210	300
--Auxiliary Tank	liters	60	60	-	-
Tires		14.00-20	14.00-20	1110x400-533	1110x400-533

1. With winch 8440 kg

9581

CSO: 2300/104

NEW ROLE OF NATIONAL COMMITTEES EXPLAINED

Prague LIDOVA DEMOKRACIE in Czech 26 Jan 83 pp 1, 3

[Address by J. Jung, CSR minister of the interior, at the 25 January 1983 all-state aktiv of Czechoslovak Populist Party representatives of the national committees]

[Excerpts] Esteemed Representatives, Honored Guests:

Allow me first of all to express my gratitude to the representatives of your party and the organizers of this meeting, for this opportunity to talk to you on questions that are of key importance at present, and will remain so also in the coming period, for our entire society as well as for your work within the national committees. For at the beginning of this year we have entered a period that will be of exceptional importance for the work of the national committees. Not only the amendatory law on national committees will become effective as of 1 January 1983, but also a number of implementing regulations, other statutory provisions, principles and instructions. Their application in the everyday practice of the national committees is and must be the path leading to the consistent fulfillment of the 16th CPCZ Congress resolutions that were spelled out at the 6th session of the CPCZ Central Committee.

Already at the 15th CPCZ Congress the basic policy was adopted to increase the effectiveness of the work of the national committees, especially at the local level, which is in agreement with the interests and needs of our socialist society's further development. It was emphasized at this congress that the national committees must participate increasingly in the fulfillment of the tasks of entire society, in supplying the needs of the people, and in developing the economic and social life of all territorial districts. At the same time also the basic importance was emphasized of developing socialist democracy further in this important area of state power and administration.

These important conclusions were then spelled out in greater detail and more specifically in the April 1979 document of the CPCZ Central Committee Presidium entitled "The Tasks in Developing the National Committees and the Procedure for Their Realization." After the approval of this document, the discussion, elaboration and solution began of an entire series of questions that sought, refined and formulated the conditions and prerequisites for making the work of the national committees more effective, not only in terms of their status and tasks, but also of their basic functions in practical activity and decision-making.

The 16th CPCZ Congress approved the program's intentions and objectives outlined in the April 1979 document of the CPCZ Central Committee Presidium. In particular the congress emphasized that the operation and work of the national committees must be made considerably more effective in influencing the development of the territorial districts, in fulfilling the tasks of entire society, and in satisfying the people's needs such as services, housing, supply, transport, education, cultural amenities, health care, welfare, etc. According to the conclusions of the congress, the national committees must make better use of their own material and financial resources and spend economically and effectively the resources allotted to them by the state budget. They must continue to care for the cleanliness and appearance of the towns and villages and must contribute more actively toward the education of the citizens and their inclusion in the country's administration, in the solution of state and social matters and in everyday decisions concerning the affairs of the villages and towns. Therein lies the political objective of encouraging the activity, initiative and commitment of the workers in pursuing the strategic policy for the further development of our society, especially in the area of the national economy. Naturally, the national committees must rely on close cooperation with the organs of the National Front and the organizations belonging to it, because in the National Front and its substantive content can be found the constantly self-renewing source and basis for achieving the set social objectives. The National Front expresses the unity of the interests of the socialist state and of the social organizations, and it is an important functional and organizational base for joining the forces, resources, energies and efforts in the interest of fulfilling our common objectives.

#### To Fulfill the Conclusions of the 16th CPCZ Congress

At the sixth session of the CPCZ Central Committee, whose proceeding and conclusions our citizens spontaneously welcomed and unanimously approved, the ways were specified that lead to the fulfillment of the 16th CPCZ Congress's conclusions. The progress on and the completion of the tasks stemming from the April 1979 document of the CPCZ Central Committee Presidium were analyzed in detail. As you very well know, the mentioned ways were increased, and to their content there has been added the extensive problem of improving paid and other services. Their level, quality, operational efficiency and availability significantly influence the lives of all people, and therefore a pronounced improvement in this area is essential and must be an important part of the national committees' overall work. At the sixth session of the CPCZ Central Committee it was also emphasized that the set challenging objectives were dictated by the indisputable needs of the 1980's, and that our society was necessarily demanding them.

The demanding nature of these tasks requires a fully responsible, deliberate and purposeful approach to their fulfillment. You very likely have been fully informed that after the sixth session of the CPCZ Central Committee there began a period of converting the adopted political intentions and objectives into amendatory laws and necessary legislative changes, instructions, principles, directives and other guidelines issued by the central organs. The set of these tasks was summarized in a schedule that includes 52 measures relating to the status, competence, organization and management of the national committees, and 59 tasks in the area of developing paid and other services. Of course, some of the tasks have to be solved completely this year or they may even be of a long-term nature.

The people rightfully expect that their affairs will be handled more consistently, that state administration will really be brought closer to the people, that the

national committees as their representative organs will influence more conspicuously than heretofore the development of the towns and villages and the maintenance of public order, and that the realization of these tasks will significantly improve services. Therefore the implementation by the national committees of the already solved and approved legislative changes and other measures is of enormous political, social and economic importance, and their consequences will be projected into the coming years. Therefore so much depends on the success of this realization. All national committees, their organs, officials, representatives and coworkers must participate in this process. Naturally, all the central organs concerned will likewise have to do their share.

#### Attention to the Central Villages

Dear friends, the importance of implementing all the measures stemming from the conclusions of the sixth session of the CPCZ Central Committee becomes obvious in the coming period if we consider in greater detail their substantive content and project them into the specific everyday life of the national committees. Naturally, time restrictions do not allow me to dwell in detail on all the solved tasks and approved measures. Therefore it will be necessary to concentrate particularly on the key tasks and basic legislative provisions.

The status and authority of the local national committees in central villages have been regulated in the amendatory law on national committees, which became effective as of 1 July 1982. It has been called the "little amendatory law" because it solves only this problem. Simultaneously, the first phase of creating central villages with local national committees has already been completed. The kraj national committees--in agreement with the okres national committees--have designated 204 central villages, and 44 joint national committees for several villages each. Since the start of the second half of 1982, these joint national committees have been exercising their authority which, in some of their basic functions, has been broadened in comparison with the authority of the national committees in villages other than central villages.

Now the point is to ensure that this type of local national committee functions as effectively as possible and is able to really exercise in practice the full scope of its authority, in order to prove that development in this direction is sound and has been set in the interest of further improving the rural population's life. On the basis of an analysis of how the national committees in central villages are functioning, conclusions will be drawn already in the second half of this year regarding the process of creating additional central villages, under unified policy guidance. This process will undoubtedly be a long-term one, and an objective process. However, it must be directed in accordance with the needs of the localities' development and with the interests of entire society. At the same time the policy is obvious and clear that the activity of the national committees in the central villages must contribute toward better supplying the people's needs, toward the present and long-range economic and social development of their territorial districts, and toward organizing the political, public and cultural events in rural settlements.

#### 'Big Amendatory Law'

The so-called "big amendatory law" on national committees becomes effective as of 1 January of this year. As its nickname implies, it modifies and amends extensively the Law on National Committees and regulates the authority of the town



national committees in certain areas of state administration. This is unquestionably one of the most important laws that the Czech National Council passed in recent years. It regulates increased tasks within the authority of the entire system of local representative organs whose activity affects the lives of every citizen and of entire society. It grants the national committees broader authority, for the even more conspicuous assertion of socialist democracy in practice, in close cooperation with the citizens and organizations united in the National Front. The complete, modified and amended text of the Law on National Committees has already been submitted to the Czech National Council, for publication.

Representatives of the national committees will of course have to thoroughly familiarize themselves with the complete text. Various forms of instruction will be organized for their benefit. Besides the higher-level national committees, also central organs will participate in these courses, including the CSR Ministry of the Interior and its Institute for National Committees.

Therefore I will not dwell in detail on the content of this amendatory law, but I would like to point out some of its key and basically new provisions.

First of all, the position is clearly strengthened of the national committees as territorial organs of state power and administration. They have the right to control how other state organs operating on the territory of the national committees perform their duties affecting the interests and needs of the citizens. Furthermore, they have the right to coordinate and control also organizations not subordinate to them, if these organizations provide services for the population, build housing, maintain the housing stock, form and protect the living environment or are engaged in other specific activities that affect citizens. The status of the national committees has conspicuously been strengthened in pooling the resources and activities of organizations. The government will issue in the near future principles regarding these functions of the national committees. Of great importance will be the assertion by the national committees in towns and central villages of their right to control and coordinate organizations not subordinate to them. These and other provisions significantly intensify the role of the national committees in organizing the comprehensive economic and social development of their territorial districts. It is important that the amendatory law also gives the national committees more legal instruments to this end.

Another important question that the big amendatory law regulates is the differentiated expansion of the authority of the town national committees. This reflects the consequences of the towns' dynamic growth in recent years, which has necessarily brought with it also higher requirements regarding their administration and the regulation of matters concerning the construction of new settlements, the location of various public facilities, the amenities of the entire town, public transport, environmental protection and the population's supply, in accordance with the formation of the socialist way of life. These are requirements that increase commensurately with the growth of the towns. Therefore the expansion of the town national committees' authority has been solved in a differentiated manner, according to three categories. You certainly will become acquainted in detail with the scope of this broader authority, the common denominator of which is the upgrading of the towns' public administration and the creation of conditions for their further growth and for better satisfying the needs of the urban population. This classification of town national committees is expected to



remain the basis for gradually granting these national committees economic, legal, organizational and other instruments and broader authority to strengthen their role in the area of planning, in managing their subordinate organizations, and in public administration.

#### Enhanced Prestige of the National Committees

Another important group of provisions in the big amendatory law concerns the increased role, higher status and authority of the elected organs, and the prestige of the national committees' representatives. This is especially important from the viewpoint of your work within the national committees. The law introduces significant changes in this respect. It broadens the scope of the questions, mostly of a conceptual and long-range nature and significantly influences life within the territorial districts, that will be considered by the plenary session. In view of this, appropriate attention will be devoted also to the preparation of the discussion of such questions. Not only the council and its commissions, but also the representatives, the organs of the National Front and the organizations affiliated with it, and possibly other state organs and organizations whose activity concerns the matters discussed by the plenary session, will participate in the preparation of the discussion. In view of the importance of the questions placed on the agenda and the extensive preparations for their discussion, the plenary session of every national committee must become an important political and social event in the life of the given territorial district.

Simultaneously, the legislative prerequisites have been created for perfecting the activity of the national committees' councils, commissions, administrative commissions and departments. The basic and general statutory regulations in this respect are spelled out in detail in other documents. For example, in the model rules of procedure for the plenary sessions, councils and commissions; in the principles for the establishment and activity of commissions; in the model agendas for the departments and other subdivisions of the national committees; in the principles for relieving representatives from their regular jobs and for determining their official duties, etc. The law also defines more accurately the relations between the elected organs and confirms that the plenary session is superior to the other organs.

The provisions of the amendatory law broadening the rights of representatives will be of basic importance to you as representatives. This concerns relations with organs and organizations not subordinate to the national committees. In the future representatives will have the right to request a meeting with the top officials of such organs and organizations, to present proposals and suggestions to them, to demand an explanation, and to call attention to any shortcomings in matters pertaining to their official duties, particularly in the affairs of citizens, in the supply of their needs, in environmental protection, etc. The organs and organizations are obliged to study such suggestions, comments and complaints, and to inform the representatives in due time how they have been handled. Besides broadening the rights of representatives, the law also specifies when they must perform one of their basic duties: reporting to their constituents. The report must cover the performance of the representative's own duties as well as the activities of the national committee to which he has been elected. The amendatory law requires representatives of local national committees to report to their constituents twice a year; and representatives of higher national committees, once a year.

Expansion of the representatives' rights will unquestionably enhance their prestige and will enable them to participate more actively in the solution of their district's development and in ensuring the citizens' needs. The scheduling of their basic duties will intensify the representational nature of the relationship between representatives and their constituents.

#### Economy-Organizing Function

To perfect the economy-organizing function, the big amendatory law emphasizes the national committees' role in the planned management of their economies. The formation of subordinate organizations and establishments by national committees at the various levels, and the content of their statutes and rules of organization are regulated more precisely. The management and other relations between the organs of a national committee and its subordinate organizations are specified. It is emphasized that the directors are directly responsible to the national committee's council for how their organizations perform their mission, with special attention to supplying the citizens' needs and respecting the interests of society as a whole. From the economic viewpoint, the big amendatory law contains also certain provisions that provide the legal basis for ensuring more effectively and more flexibly the development of paid services, including the possibility of using certain supplementary forms of letting citizens provide services, on the basis of a license issued by the national committee.

In the amendatory law on national committees, these general provisions concerning the development of paid services, and of other areas of the economy managed by the national committees, tie in with the substantive solution of a series of economic, legal and other measures. And also on their basis, a number of tasks have become effective as of 1 January 1983. For example, the methods of planning and budgeting have been simplified. Principles have been elaborated for the liquidation of obsolete and inefficient plants and unpromising manufactures, and for the coordinating activity of the national committees in pooling resources. Certain relations have been regulated in regional planning, and building permits for family homes and their construction are to be simplified. Some of the statutory regulations concern taxes and transfers to the state budget. Guidelines have been issued for the establishment of small cooperatives to provide work and services that are especially in short supply. The solution has been completed of certain other tasks whose common denominator is the creation of conditions for the development and improvement of services. On the other hand, the solution has yet to be completed of a number of other important tasks such as, for example, the capital assets base of services, regulation of the collection of secondary raw materials and especially of their reprocessing, the questions associated with public catering, with the supply of supplementary services by centrally managed organizations, and other important tasks. Time does not allow me to review all the measures that in their sum total are intended to significantly influence the development of services, which occupy such an important place in the economies of the national committees. But I would like to use this opportunity to emphasize that the big amendatory law's section dealing with the economy-organizing activity of the national committees must be viewed in context with the other legislative amendments and measures of an economic nature that likewise have become effective as of 1 January of this year or will be completed this year.

## Development of Socialist Democracy

Furthermore, the big amendatory law contains important provisions for the further development of socialist democracy and for strengthening socialist legality. After all, the rule of law, civilized conditions, and the quality of decisions involving the rights and obligations of citizens are of great importance from the viewpoint of socialist democracy's development, and of strengthening the ties between the national committees and their organs on the one hand, and the citizens on the other. The big amendatory law provides a number of the prerequisites for the further intensification of socialist legality in the activity of the national committees, and for improving the quality of public administration.

Through the objective consideration and solution of this problem and on the basis of analyzing the practice to date, for example, the big amendatory law regulates the issuance of generally binding orders by national committees, increases the control function of the national committees' elected organs over the observation of socialist legality, and specifies the need for effective supervision by the ministries over public administration within the national committees. The incorporation of conditions for the political and professional training of officials within the national committees' apparatus is also of specific importance.

Furthermore, the big amendatory law contains certain new provisions concerning government control of the national committees, and relations between ministries on the one hand, and the national committees and their subordinate organizations on the other. These principles are elaborated in detail in the principles for perfecting such control, and to them have been added also principles for perfecting management relations between the various levels of national committees. Their practical application will likewise influence significantly our ability to successfully implement during the coming period, within the entire system of national committees, all the approved measures, and legislative and other changes that I have been able to discuss only in general outlines. In its control activity, the government will be devoting full attention to the establishment and activity of the national committees in central villages, as well as to perfecting the organization and functioning of the national committees in towns, and to increasing the effectiveness of the national committees' managing, conceptual and organizing activity at every level.

From the viewpoint of the 16th CPCZ Congress's basic directive on upgrading the work of the national committees, also the ministries and other central agencies of public administration will have to create conditions for good, sensible and effective public administration, and to select and employ suitable forms of providing methodological and professional assistance to the national committees.

### Public Administration Section of the CSR Ministry of the Interior

The civilian public administration section of the CSR Ministry of the Interior plays an important role in the management and control relations between the government and the national committees. It prepares background material for the control actions of the government when these affect the status, authority, organization and activity of the national committees. It methodologically coordinates the basic measures of the ministries and other central agencies when the basic functions of the national committees, their organs, officials,

representatives and employees are affected. It also coordinates the issuance of ministry directives and instructions for the national committees and sees to their publication in full in VESTNIK VLADY CSR PRO NARODNI VYBORY.

In direct context with perfecting management relations between the government and the national committees, it is also necessary to make more effective the management relations between national committees at the individual levels. Naturally, the main task of these relations, a task realized jointly with the National Front and the organizations affiliated with it, is the consistent practical implementation of party and government policies, and the suitable realization of everything entrusted to the national committees, of everything for which they are responsible, and of everything that our citizens and society as a whole expect of the national committees.

### Fulfill the Basic Tasks Well

Esteemed representatives, honored guests: When considering in their entirety the conclusions of the sixth session of the CPCZ Central Committee and of the fourth session of the Czech National Council in April of 1982, from the viewpoint of how they have been spelled out specifically in the legislative amendments and other measures that have become effective, and which we have attempted to analyze in general outlines, we must be fully aware of what their mission is. By drafting and issuing them, the center has created the necessary conditions--the legal, economic, social and organizational conditions--enabling the national committees to really improve the effectiveness of their overall activity, so that they may perform well the basic functions that the Communist Party, our socialist state and National Front have entrusted to them.

At the same time we must constantly bear in mind that the basic functions of the national committees must be regarded from the viewpoint of our entire socialist society's development. These functions are an inseparable and integral part of this development, and at the same time they influence and supplement it. Therefore it is only natural that the present level, quality and effectiveness of the national committees' work must conform to the level of the requirements and tasks for whose realization the strategic policy has been formulated by the 16th CPCZ Congress.

We must likewise bear in mind that all the newly solved conditions, legislative amendments and other managing directives of the center are not autotelic, that they have been drafted with the present possibilities and available knowledge in mind, to enable the national committees to fulfill all their tasks well, efficiently and reliably.

Economic tasks unquestionably occupy a prominent place among these tasks. After all, the economy managed by national committees is an integral part of the national economy, even though it has its own specific characteristics. This economy performs important tasks for entire society as well as local tasks. If we think through the link between the two spheres of these tasks, then it becomes obvious that for example, good paid and other services, health care, welfare, and even the education and training of the younger generation, the development of physical culture and recreation--all this not only enhances the living standard of our people, but also forms and influences their attitude to work in the other sectors of the economy, in all its spheres.

You know very well that realization of the strategic policy set by the party congress regarding the switching of our economy to the path of intensive development, with its aspects of maximally utilizing all available resources, capital and manpower, demands relations that fully conform to the challenging tasks.

No less important is the best possible and most efficient performance of the national committees' functions of state power and administration. After all, this is the important process of the territorial districts' comprehensive economic and social further development. It represents the efficient, dynamic and comprehensive administration of populated organisms such as cities, towns and other settlements. Within the framework of these functions, the citizens' affairs are administered, their rights are asserted, and also their obligations toward the state and society. And you will certainly agree with me that on the quality of the performance of these functions depends the formation of socialist interpersonal relations, and also of the attitude to work, to society and its further development. Of relations that are positive, creative and result in a conscious effort to maximally participate in the realization of our society's developmental objectives.

Finally, we must not overlook also the level and quality of the national committees' cultural and educational functions. For specifically these functions contribute unambiguously to the all-round development of the individual; through them man lives fully in the socialist present and finds the inner strength to purposefully form the conditions for the socialist future.

I have mentioned some of these considerations and their projection into the practice of the national committees because I wanted to emphasize that the basic objective of all the measures that have been drafted, solved and adopted by the center since the sixth session has been the creation of conditions that will enable the national committees to best perform their functions. That it is therefore important for the national committees to learn how to make full use of these conditions. And that it should be regarded as something natural by all central organs that they will have to help the national committees in this respect.

#### Only Results Count

The effectiveness of these measures in practice will be judged of course primarily on the basis of the achieved results. The most carefully conceived and thought through statutory regulations, legislative changes and amendments, the most perfect management actions, directives and instructions will remain only printed paper if they are not projected into results. And specifically herein lies the qualitative change in the overall work of the national committees that follows from the conclusions that the 16th CPCZ Congress adopted on improving the effectiveness of the national committees' work. This is also the essence of the conclusions of the CPCZ Central Committee's sixth session which spell out this basic policy of the congress, in the sense of the CPCZ Central Committee Presidium's document of April 1979. Because only the desirable results are the specific and only proof of the effectiveness of the national committees' work, in the performance of all their basic functions that constitute the complex of their contribution to our society's life and further development.

Hence it is a logical "law" of the coming period in the functioning and work of the national committees that they must be able to utilize deliberately,



purposefully and responsibly all the conditions and prerequisites provided for their activity. This of course requires selecting and employing such methods and forms of work that will be adequate for the results we want and have to achieve. Man emerges here as a factor of basic importance. I have in mind all officials, representatives, employees and activists of the national committees. Their combined contribution toward ensuring the tasks of the national committees will be the decisive criterion for the achieved results.

Naturally, if their contribution is to be truly active and positive, it must be based on a conscious and creative approach to the assigned functions and ensured tasks. All this requires a qualitative change in the mentality and everyday practice of all those who jointly create the overall work of the national committees.

First of all it is essential that all officials, representatives and employees of the national committees become thoroughly acquainted with all the legislative amendments and other central administrative measures that have already become effective or are to be completed. And they must not only become acquainted with these provisions, but must also fully understand their political, economic and social impact. Only with such knowledge and understanding can the conscious practical implementation of these measures improve.

#### Choose Optimal Forms of Work

Intentions alone, of course, are not enough. We must also choose the most suitable, optimal methods and forms of work that will truly ensure the practical implementation of the new measures. It is gratifying to note in this context that the process of seeking and applying new or better forms and methods of work within the national committees is especially evident in conjunction with the activity of the national committees' elected organs. It is therefore commendable that representatives, the commissions and organizations functioning in the territorial districts of the national committees, the organs of the National Front and the organizations affiliated with it, and occasionally even experts, are participating more actively in the elaboration of such methods and forms of work. This has positive results not only in terms of the objectivity required for the adopted resolutions, but also of the fact that a wide circle of people are aware of what the national committee is doing, which creates the prerequisites for wide popular participation in the practical application and realization of the adopted resolutions. This was clearly evident in the national committees especially in conjunction with the elaboration of the conclusions adopted by the sixth session of the CPCZ Central Committee, and of the conclusions of the territorial party organs at meetings held after this session. And this is true not only of the kraj national committees, but of the other national committees as well.

We likewise appreciate that the national committees, in their plans and objectives of a conceptual nature, are taking into consideration the developmental concepts of the economy's individual branches. It is favorable that in their managing work the elected organs of the national committees employ such desirable forms and methods as analysis of the present situation that yields conclusions for their future work. And that they are seeking new approaches adequate for the present requirements regarding the work of the national committees, and for the objectives which the national committees must achieve through their work.

However, this is only the start of the process of employing new methods and forms of work that can best lead to the proposed objectives and goals. At sessions of the highest organs it has been emphasized repeatedly that the new challenging tasks require also a demanding approach to their realization. This--and I do not hesitate to use this expression--"conformity to law" must be asserted systematically and purposefully. In spite of this, we sometimes find that the national committees are confronting their tasks with bewilderment, that they are not seeking with sufficient intensity the ways and means for the realization of their tasks, and that they are not showing the necessary circumspection and persistence. They often retain their old approach to things and do not seek realistic ways leading to their objectives, because these objectives are more difficult, require a different approach and leaving the beaten path in their mentality.

Such a truly new approach will often be necessary. I have already mentioned the new quality of coordinating relations between the national committees and organizations not subordinate to them, in order to promote the further improvement of living conditions in the territorial districts, to continue the development of the towns and villages, and to better supply the people's needs. The proper and effective assertion of these relations will be an entirely new sphere of activity for many of the national committees, and they will have to learn how best to implement these relations.

An entire series of such new tasks, relations and functions stem from the implementation of the legislative amendments and measures that became effective as of 1 January 1983. And the national committees will really have to learn how best to perform their new tasks, so that these new relations may become truly functional and effective.

#### Importance of Services

Unquestionably, this new approach must fully assert itself in the entire area of services. And I must again emphasize that this is an area of obvious political, social and economic importance. It is certainly very important that the national committees are being given responsibility for services provided for the population, regardless of who is providing them: organizations subordinate to the national committees, centrally managed organizations, cooperatives or other organizations. This is again a new set of relationships for which the most effective methods and forms of work must be found.

In this context, allow me one more comment. I believe that the new relations, especially from the viewpoint of their content, will have to be asserted in cooperation with the organs and organizations of the National Front. This is confirmed also by the valuable results that are being achieved within the framework of the National Front, particularly in the fulfillment of the election programs. In my introduction, I have pointed out also your party's contribution to these results. But in view of everything new, of what the national committees are now confronted with, what they will now have to realize, and what society expects of them, it is a justifiable requirement that this cooperation must be developed further on a qualitatively higher level, in order to influence the widest possible circle of people and to gain the citizens' active participation in solving the interests of entire society.

I have in mind, for example, making people interested in the solution of the important tasks and new production programs, in raising labor productivity, in the expansion of services, and also in environmental protection, in the better use of available farmland, etc. In the same way it will be desirable to include, within the framework of this cooperation, more and more people in the joint solution of the affairs of the towns and villages, in the development of cultural and educational work, and in utilizing the people's initiative for the benefit of entire society.

Esteemed representatives, in conclusion I would like to express my firm conviction that the national committees--as they enter this new phase in which they will have to demonstrate the qualitatively higher level of their specific work in behalf of our society's further development and of our citizens' happy life--will be able to fully rely also on your activity, efforts and determination. In the light of their broader interrelations, the responsible tasks that the national committees will be ensuring are not only an essential part of our domestic life, but also a part of the efforts of our society and socialist state to be a full-fledged member of the entire socialist community.

Therefore it is the obvious duty of each and every one of us who is involved in any way whatsoever with the activity of the national committees to devote all our strength, knowledge, enthusiasm and efforts to helping these important organs of the state and of the people perform to the best of their ability the tasks that our society has entrusted to them.

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CSO: 2400/130



NYERS INTERVIEWED ON STRONGER ROLE FOR NATIONAL ASSEMBLY, LOCAL COUNCILS

Budapest MAGYAR HIRLAP in Hungarian 27 Jan 83

/Interview with Rezso Nyers by Gyorgy Acs: "Unity, of Many Colors"/

/Text/ Rezso Nyers is a scientific consultant for the Economics Science Institute of the Hungarian Academy of Sciences, a member of the Central Committee of the MSZMP and a representative to the National Assembly. In his latter capacity we asked him to give his thoughts about the work of the National Assembly.

/Question/ How do you imagine a strengthening of the role of the National Assembly?

/Answer/ I cannot imagine this strengthening with a single measure, but rather as a series of steps building on one another. Nor can I imagine that the role of the National Assembly, at the summit of public life, can be basically different or greater than the role of the middle and lower organs of public life at their own levels. The system of democracy consists of parts interdependent with each other; either it develops in this way or not at all.

For us the National Assembly has a significant role as an embodiment of popular sovereignty, because every basic decision is made by it or in its name. Still, many think that it has only a formal, approving role, which it exercises automatically. There is much truth in this opinion, because in some important themes the National Assembly does not act itself but rather organs of it endowed with representative rights and in such cases the organ has only a subsequent judgmental role or one exercised indirectly. But even in this case I would not call the work of the body formal, because the right of subsequent judgment is an essential right the consequences of which are significant.

I see a bigger problem in the development of the political role of our National Assembly. Many hold that in political life with a single party system the role of the National Assembly is necessarily of second rank. The facts seem to justify this, because in our political mechanism we have not yet found--together with much else--the true place of the National Assembly.

I consider myself to be one of those according to whom the National Assembly can be raised from its second rank political role. One condition for this is what role it will have in our politics and in our system of legislation. To simplify, to what extent will the emphasis shift from law decrees to laws, from lower level regulations to higher ones. The other condition is the extent to which legislation and the oversight of government become political acts, that is to what extent they express the living reality of our socialist society--unity in the chief goals, but a multiplicity of various interests, views and ideas in concrete questions. Unfortunately, we do not have a basic model for all this; the bourgeois parliaments are not examples for us.

/Question/ Can all this develop only in this way?

/Answer/ I feel that in the socialist countries the narrowing of the role of the national assembly was necessary in the revolutionary transformation. That period could hardly have tolerated the slower, balancing, debating handling of laws. (It is true that there was always need for a more democratic oversight of government also.) In this period the national assembly became an organ which passed judgment on execution after the fact. Today, when the building of society is not characterized by sharp turns, there is greater need for a clarification of interests and views in a political way, for the democracy of the national assembly and every elected organ. In a different way than before, and not only in the ultimate questions of sovereignty but also in selecting among the possibilities of practical politics.

/Question/ The planned reform of the election law points in this direction.

/Answer/ I agree, but I do not believe that a development of the election system in itself would be enough if the work of the National Assembly and of the councils did not become more substantive, more attractive for political public opinion, for the great majority of the voters. In addition to the legislation already mentioned we must also develop the political oversight role, interdependent with the work of the government. Today this is possible only at fairly long intervals, once or twice every 5 years, but an appropriate method has not yet developed in regard to individual spheres--functions and branches. At present oversight is not yet adequately linked to the concrete activity of the ministries. For example, the role of the ministries is lost sight of in the present method of discussing the budget and judging them is an impossibility. It matters little that the minister reports every 5 years, because these reports lack anything concrete, lack an accounting concerning material aspects. In reality the 5-year plans themselves are presented to the representatives only in their finished form, so not much can be added to them. We need a selection among alternatives.

Similarly, parliamentary oversight of public administration, a critique of the work of the government in guiding public administration, has slipped away since 1950. But this is very necessary, it is very much a political theme, and in my opinion it would not be opposed to council self-government but rather would be an aid to it. There are many national administrative organs which have actually gotten outside the sphere of both National Assembly and councils, or are only formally therein.

/Question/ What can the megye groups of representatives do to represent local interests?

/Answer/ In my opinion they are doing well what they were supposed to do, help the representatives get information. Representation of local, regional interests up above, in the National Assembly, is in place institutionally. The representative cannot compete with the council member in this area although, naturally, he also has to do with local affairs. Still, his fundamental task is to take part in national politics. Since the National Assembly has an approving role, independent action by the representative is actually rare. It is a good thing that we participate in megye and city council meetings, this improves the information we have, but, really, we do not join into the decision making mechanism. Beyond personal prestige and that accompanying elected office, the representative has no more genuine rights before official organs than any other citizen.

/Question/ The work of the parliamentary committees, however, has picked up recently.

/Answer/ It is indeed favorable if any representative can take part in committee meetings where he can regularly inform himself about the various affairs of the ministry affected. In my opinion also committee work is developing favorably within the activity of the National Assembly, but still it needs to be developed further. It is my feeling that even more scope should be given for the clash of opinions in the committees. A broader public opinion critique should be realized here, partly in the manner thus far, through the representatives, and partly by listening to independent experts. Let us confess that we representatives cannot be polymaths. The representative would have a hard job if he could not rely on the expertise of others, just as those supervised by him are "obliged" to rely on expertise.

/Question/ How could interests be better expressed at meetings of the National Assembly?

/Answer/ A way for this could be found even within the present institutional system by expanding the sphere of themes discussed and making supervision of the operation of the ministries more political, by thinking through in a critical way the character of our legislation.

Long-range development requires further study and thought. Research in and the exchange of ideas about politics should be increased and should not be regarded simply as the passion of intellectuals interested in such things. For my part I would seek the long-range possibility of an institutional solution to the admission of economic, cultural, administrative and other partial interests in addition to the regional principle according to which we elect representatives today.

/Question/ Could you give an example of why this would be good?

/Answer/ Just think what need there is for reform in the public property function in connection with state enterprises. This function has no

characteristic feature today, it is forced into the background; all we really have is annual income interest. The use and flow of capital is not solved, and the organs involved in continuing economic guidance are incapable of it also. We need some sort of institution with state license. But where would this institution link up? It is not a simply question. It has been suggested that the lines of ownership supervision should be linked to the government or to the National Assembly.

/Question/ The electoral law reform aspirations are aimed at having more interests linked to the Parliament.

/Answer/ But we cannot make progress with a law if we do not make progress in the substantive questions of the work of the National Assembly and the councils. We will not vote with more enthusiasm for more candidates if the work in the bodies is not more interesting. The political alliance embodied in the People's Front and the search for unity therein must receive new content. In my view we need something qualitatively different, many colors of interests and views, whether these can appear in the National Assembly or not. In any case there is a need for differing views to appear in information, at various types of forums. The truth is that even today we find it difficult to tolerate controversial views. Tolerance is weak in official and unofficial circles alike. In the place of understanding we are trying to defeat the contrary opinion as soon as possible. If this quickness in overcoming them remains then the partial truths of the contrary opinions, the usable ideas, will not be salvaged. Anyway, the historians might tell us that perhaps never in history was there a situation in which a considerable minority was not right about something. Several leaders of our party--including primarily Janos Kadar--have emphasized on several occasions that, even if it is sharp, criticism should not be regarded as oppositionism, and what is more even if someone is in opposition in certain questions that does not make him an enemy. (But a word of warning: We have real enemies too!) Alternative opinions must be considered. There can be (there are) alternative opinions on the basis of socialism, even on the basis of party congress resolutions. These could be given greater scope in the work of the National Assembly and the councils.

/Question/ You almost always mention the councils together with the National Assembly. Why?

/Answer/ To a large extent strengthening socialist statehood depends on the development of local self-government. Depends on whether we are capable of developing our legal, financial system in such a way that local levels get greater freedom of movement while still fitting into a framework of uniform statehood. Public administration is the appropriate terminus technicus of such a political practice, and not an expression of state administration, which merely expresses the principle of guidance from above. Nor are we talking merely about a derivation of the state will but rather, also, about the realization of the local will. And this is not a formal distinction.

POLAND

TEMPORARY ADMINISTRATION OF TRADE UNION ASSETS DISCUSSED

Warsaw TRYBUNA LUDU in Polish 24 Jan 83 p 2

[Interview by Romana Kalecka with Piotr Karpiuk, chairman of the commission for managing union assets: "What Is Happening to Union Property?"]

[Text] In the course of several decades, employees dues paid in both in the postwar period and earlier since the time labor unions had been formed, have accumulated into the assets of the union movement. Holiday resort homes, sanatoriums, cultural facilities and printing shops were created and substantial financial resources were accumulated. Protection and future utilization of these assets is an issue arousing lively concern in the public opinion that is easy to understand.

[Question] What does the commission deal with?

[Answer] The commission operates on the basis of the Council of Ministers decision of last October, specifying the organization and functions of provisional management of union property. The commission members were appointed by the premier, which is an indication of the caliber importance attached to the protection of assets created from contributions of working men. The commission includes representatives of interested ministries. Its second half is formed by activists of former trade unions, including Solidarity. The commission began to operate in November 1982 and its executive arm began to function early last January. Its operation is funded from the state budget.

Up to now, we have prepared all documents related to the takeover and administration of labor union assets. An inventory of the property is about to be completed, which is not easy, due to substantial gaps in Solidarity's documentation. All financial reports are to be counterchecked by expert accountants.

It should be stressed that the commission exercises none but ordinary receivership over the assets, which is to say it can rent out individual facilities or pieces of equipment, lease them or transfer them for use, but

it is not allowed to sell anything. The commission is not handling plant-specific union assets which are supposed to be transmitted to newly established unions in a different fashion.

Aside from assets takeover and designation of plenipotentiaries administering detached asset components (there are 24 of them, including one plenipotentiary handling the assets of all union central boards), the commission's duties include undertaking all indispensable actions to preserve those assets unchanged and to protect them against destruction and depreciation. In other words, we must assure indispensable repairs, suitable storage conditions and leasing only to users who guarantee proper care of rented property.

Most recently, we were additionally burdened with a duty performed until recently by ordinary receivers: allotment of sanatorium and resort home assignments.

[Question] How is this allotment executed? Are nonmembers of labor unions, which is the category most employees are in at this time, entitled to use resort houses and sanatoriums in the facilities of the former unions?

[Answer] Of course, sanatoriums and resort houses are to be used by all employees regardless of union affiliation. Our representatives participate in the work of sociomedical commissions that screen appropriation of sanatorium allowances, primarily decided by health reasons on the strength of medical concerns. Commission members are also handling allotment of resort apportionment among individual plants. Within the plants themselves, such apportionment will be carried out through the intermediary of labor unions, and in those plants where labor unions have not been created yet--through the first quarter of 1983--it will be conducted with the assistance of each plant's social commission.

Our tasks include organizational and technical assistance to the newly established labor unions. We are placing at their disposal office space and conference rooms and the Labor Union Publishing Institute with its print shop. We will aid in the organizing of labor union training. Our duties also include protection of retirees and pensioners, former employees of labor union management.

[Question] To return to the commission's main tasks, how large are union assets and what are they composed of?

[Answer] These are huge assets scattered all over the country, including 40 large sanatoriums, 71 resort houses and recreational centers, more than 20 large administration buildings, along with houses of culture and clubs, a publishing institute with its printshop, several hotels (e.g., a teachers' hotel in Warsaw), all fully equipped. Add to this residential housing built by labor unions even before World War II, two small construction companies and even the equipment of the Katowice Philharmonic funded from the dues of miners-unionists. Furthermore, those assets include printing equipment and transport vehicles--nearly 400 passenger cars, delivery vans and motor coaches.

Exact value of the fixed assets of labor unions will be known in April, following a detailed inventory and recomputation of that property according to current prices. As estimated by some according to older prices, the value of those assets will exceed 30 billion zlotys.

We are guided by the principle that any item that can earn the money for its upkeep should function, serving society and yielding profits to enlarge union account balances. We even lease office equipment. All told, nearly 170 units should be operating under a self-financing system for the most part, sanatoriums, resort houses and administration buildings.

[Question] How much money has been accumulated in union accounts?

[Answer] The sum total of these resources can be estimated at 4 to 5 billion zlotys. As far as Solidarity is concerned, the sum arrived at from a verification of about a half of its organizational units so far is approximately 400 million zlotys, and the other half will probably yield a similar amount.

In general, union accounts are encumbered by minimal obligations. The exception are Solidarity accounts that may even prove to be insufficient to cover all of Solidarity's debts. Even at this time, there are creditors reporting to us, e.g., publishing institutions that have not been paid for completion of orders confirmed in contracts. Some office equipment and technical equipment supplied as ordered by Solidarity still remains to be paid.

Solidarity activists generally demonstrated astounding carelessness in financial matters. They neglected all regulations and principles for money management. They did not keep asset ledgers, and, not infrequently, carried hundreds of zlotys in their briefcases.

[Question] The unions' leftover assets are, to be sure, a kind of showpiece for them about the nature of their activity, priorities accorded certain functions and even the degree of bureaucratization. What can be read from an analysis of the assets left by pre-December unions?

[Answer] The size and type of assets left behind by the unions that had operated until August [1980] clearly evidence that--regardless of many justified charges against them--they have done much to satisfy the working people's social and cultural needs. Their achievements in this area are beyond dispute.

At the same time, it turned out that the rumors about Solidarity's allegedly considerable assets are far from the truth.

In fact, it would have been impossible in only one year to accumulate assets comparable to those amassed by the labor unions in the course of several decades. In addition, the kind of assets Solidarity had closely matched the political goals posed by its leaders who in the most recent period more

often referred to that organization as social movement than a union organization. It is known that the working class imbued Solidarity with the hopes that are combined with genuine union organizations, whereas some of its leaders and advisors from the very first put their hopes of toppling socialism in Poland with Solidarity.

Solidarity's estate mostly includes printing and communications equipment, plus a great many antisocialist publications. Much of that equipment is in deplorable condition, broken or lacking parts that make them impossible to operate. Some components of the assets have been appropriated--they are now in the hands of former Solidarity activists. In such cases, we cannot exclude court proceedings. Some of those assets--typewriters, copiers--are operated in the underground.

[Question] What will happen to the labor union assets, once they are inventoried, calculated and secured from destruction? When will the commission terminate its activities?

[Answer] Those assets will be transmitted to legitimate owners who are the newly created labor unions, recognized by the law. This will follow via a Council of Ministers decision to be made after consulting the new unions. Our commission is interested in the rapid formation of interfactory, sectoral structures for the unions who will be able to take over the assets accumulated by their predecessors.

12199

CSO: 2600/299



## BIALYSTOK PROVINCE PARTY ACTIVITIES REPORTED

## Executive Board on Financing Industry

Bialystok GAZETA WSPOLCZESNA in Polish 29 Nov 82 p 2

[Article by (c)]

[Text] Reclaimed raw materials continue to be unsatisfactorily utilized as an industrial supply and light industry resource. Even though we are learning to better utilize industrial waste materials, especially in the metal and textile industries, nevertheless there remains an entire gamut of costly raw materials mainly from household goods which are only being recovered in small percentages for economic needs. This unseemingly grave subject--not only because of the current raw material crisis, but also due to the need for development of a permanent habit of conservation in each individual--was the subject of the Friday Polish United Workers' Party voivodship committee executive board session in Bialystok. It was determined that the government's program to obtain or process reclaimed raw materials and waste materials has gathered great momentum in the province. The implementation of diverse stimuli resulted in the delivery of increasing amounts of raw materials to procurement centers. A pressing need exists, however, in this area for coordination on the central level. Mainly, this concerns the collection of waste paper and rags, with which the procurement centers are simply inundated. Endeavors aiming at management and processing of foil articles (for example: fertilizer bags, scrap from horticultural foil, etc.) are also necessary. It is necessary to presume that the conclusions adopted at the session raise the standard of efficiency of this significant sector of the economy.

In the subsequent portions of the deliberations, the executive board members discussed the informational-journalistic activity of the GAZETA WSPOLCZESNA, chiefly drawing attention to the need for the instruction of the new youth cadres, the need for improvement in journalism, and improvement insofar as the satisfaction of the diverse interests of the readers in our three voivodships is concerned, as well as the soon-to-be-established editorial council tasks. A further development was noted in the editing of the paper, one which is reflected in its circulation. The need for the publication of an afternoon newspaper in Bialystok was also considered.

Subsequently, the executive board acquainted itself with the development of the Patriotic Movement for National Rebirth (PRON). This movement, whose coordination, function, and initiative is being carried out by the provisional voivodship council is expanding in ever-widening circles. It has enveloped entire cities and communities, and has uncovered increasing support in the factories and in the villages, it has gained supporters from varied social circles for its ideas, and willing individuals who desire to work in the name of national understanding and surmount the crisis. The existing regional PRON structures are enriching their local initiative programs, and securing a permanent place in the sociopolitical life of the cities, communities, enterprises, institutes, and villages.

In conclusion, the executive board acquainted itself with the progress of the Polish United Workers' Party reporting-programmatic campaign. The campaign has already ended in the basic and departmental organizations. It took place in an atmosphere of constructive criticism, commitment, and comparatively high attendance. Thought was given at the meetings not only to what had to be done, but also how it had to be done so as to restore a sense of credibility to the party, and to regain the public's confidence. The program of action adopted by the basic party cells should serve these fundamental objectives. Reporting conferences have currently been initiated in the basic level administrative units.

#### Plenum on Effects of Economic Reform

Bialystok GAZETA WSPOLCZESNA in Polish 2 Dec 82 pp 1, 2

[Article by Mikolaj Kozak]

[Text] Marian Orzechowski, the Central Committee secretary participated in yesterday's (1 December) Polish United Workers' Party Bialystok voivodship committee plenary session. The first portion of the deliberations, chaired by the voivodship committee first secretary, Stefan Zawodzinski, was dedicated to especially significant matters concerning the necessity of acknowledging the urgent need for the accomplishment of in-depth analysis, and diagnostic formulation concerning the transformations taking place within youth circles. These issues constituted the leading substance of the voivodship committee executive board report delivered by the director of the voivodship committee education and culture department, Stanislaw Sekowski, and concerned with the tasks facing the educational system cells in the training of educated and student youth in socialist comportment.

In the prepared report, it is necessary to emphasize that an analytic and objective appraisal of the educational problems was formulated with great expertise (we will return to this later). The major weaknesses of the hitherto existing educational system are perceived within the sphere of educational doctrine, and in the substance and values upon which educational activities have been accomplished. Among other things, the school and college educational crisis was brought about by such factors as unsatisfactory civic and political education of youth, detachment of educational programs from everyday practical realities, and sociopolitical deviation.

With great concern, the participants discussed matters pertaining to the education of student youth studying discussion participation, the fervor of which attested to the immensely serious treatment of the educational problem within the context of our national situation. A series of concrete and constructive proposals were submitted, and from this it is evident that the plenum participants recognize the tasks involved in the socialist education of children and youth, as one of the fundamental factors involved in the achievement of national agreement.

The statements by discussion participants were supported by Central Committee secretary, Marian Orzechowski. He emphasized that teachers constitute the central cells of the educational system. Our educational strategy and our system must be based upon the cohesiveness of all its cells. Orzechowski also stressed the significant role being accomplished by the PRON; joint action by honest and active individuals, and patriots who by their attitude attest to action. Marian Orzechowski noted that this movement represents the stimulus for action by the authorities and is in accordance with the expectations of the working class and the interests of the state. Its goal is the strengthening of socialism.

At the conclusion of the first part of the plenary session, the participants adopted a resolution acknowledging the importance of the appraisals and the resulting tasks contained in the ninth Central Committee Polish United Workers' Party plenum resolution, and dealing with issues on youth education. As noted in the resolution, the plenum expresses thanks to the teachers, and to all who by their attitude and educational influence have nurtured an atmosphere of normal work, education, and studies as a dominant indicator in the environment of the children and the youth of the voivodship. Simultaneously, it expresses the conviction that both professional and nonprofessional educators have induced a shift from a calm stage to one of positive activist attitudes.

The state of the national economy, though generally known is, however, not entirely accurate. Through the prism of market shortages, it is difficult to obtain a realistic picture of the constantly changing situation in production sources. Since May of this year, production indicators achieved by Bialystok enterprises have risen slightly, achieving a slightly higher ceiling, even on a month to month basis. This is, however, only a prediction of the extrication process from the serious crisis.

In Wlodzimierz Kolodziejuk's report, which inaugurated the second part of yesterday's voivodship committee plenary session, basic economic results and factors having a bearing on the tempo of emergence from the crisis were taken into consideration. For many of them, the general bringing about of economic management, specifically the amelioration of conditions, work discipline, and better utilization of production resources should be exerted by the fundamental influence of the factory party organizations. Not currently considered impressive is the appraisal of their former activity in the arbitration of these issues and joint cooperative results with the self-governing groups initiating trade union appointments by way of collective organizations and enterprise directors. In order to assist with the accomplishment of proposals, the plenum will adopt the "Plan for the Realization

of Party Committee and Party Organization Tasks Brought About by the Politburo Report and the 10th Polish United Workers' Party Central Committee Plenum."

It is precisely on the lowest economic levels where the most important everyday decisions are taken in matters relating to the level of our existence and its perspective. Central normative acts, resolutions, guiding principles, and studies which had certain stipulations added at the plenum (delayed and erroneous time-limits, and certain measures requiring correction) can only improve or worsen the further establishment of the volume of commodities offered which is particularly evident in the enterprises. Similar results can be extracted from certain opinions expressed at the discussion, and which presented the current successes and setbacks of the Sokol Construction Woodwork plants, the Bialystok Cooperative, and the Bialystok Construction enterprise.

Attention is focused on the rather predominant national impatience in regard to the benefits of reform. It is necessary to realize that for the time being reform is proceeding very slowly, and will conclude its first interim operational stage next year. The reform assumptions and especially its specific concepts are proven in everyday practice. They bring about many results, but also require modifications. They are not assisted by haste, nor by badly thought out experiments insofar as the exertion of pressure upon the authors of the solutions is concerned.

The deputy director of the Polish United Workers' Party Central Committee Economic Department, Franciszek Kubiczek, in his speech reflected among other things, upon the positive consultative results of the 3-year plan as an example of constructive criticism. It would be fortunate if appropriate plans were established in the enterprises. Why is it not immaterial if there is correlation between the direction of general economic development of the nation and its basic production cells.

In summing up the discussion, it was emphasized that the general concept of reform was valid. The first positive economic results attest to this fact. The tasks of party organizations in each enterprise are defined. The fact of the matter is that this opportunity ought to be completely utilized.

In that portion of the sessions devoted to organizational matters, the plenum regulated certain personnel problems, corrected the voivodship committee party organizational structure, and also appointed an editorial committee for the GAZETA WSPOLCZESNA, an editorial and advisory body. Seventeen individuals from the voivodships of Bialystok, Lomza, and Suwalki are to comprise the body, with the Polish United Workers' Party Bialystok voivodship committee secretary serving as chairman.

#### Effects of Military Operational Groups

Bialystok GAZETA WSPOLCZESNA in Polish 13 Dec 82 p 2

[Article by (c)]

[Text] The recent months have brought about many costly experiences resulting from active military participation in the solution of various national problems. The military operational groups have "examined" every city and community. Regardless of this armed forces personnel in several voivodships carried out complex appraisals of the entire state and economic administrative activity. Material containing positive determinations and proposals from these inspections was successively sent to the remaining voivodships for the best utilization possible.

How are they put to use, insofar as Bialystok voivodship conditions are concerned? Precisely the first point of the Polish United Workers' Party voivodship committee's Friday meeting was devoted to responding to this question. Information concerning this topic was presented by the voivoda Kazimierz Dunaj. It is evident from this that all inspected material found its way to the voivodship departments, to basic level offices, and to certain economic units. The first inspection indicated that the proposals contained in the aforementioned materials were dealt with in a more inquisitive rather than accomplishment-oriented manner. Therefore, in conjunction with this, concrete recommendations and practical measures were established. This, of course resulted in the expected effect, which after all was confirmed by the second inspection. In this way, the state administration approached its responsibility with understanding and objectivity. In particular, this concerns the education department level, the health services, and the voivodship and basic level departments. As before, however, unsatisfactory progress is being observed in certain economic units and particularly on the level of village commerce, and in the agricultural cooperative circles (SKR). Instrumental institutions must demonstrate more efficiency and consistency in dealing with subordinate regional agencies. There also exists a need for the coordination of inspection-type activities, since for example it happens that at times several inspectorate groups arrive in one community. After all it does not concern inspection for inspection's sake, but instead it concerns its restorative and at the same time educational role.

Secondly, the executive board acquainted itself with the progress of elections of aldermen and members of administrative bodies dealing with misdemeanors. For the first time, unlike in the past, there was no so-called electoral key, and two lists were abandoned (union and administrative), and also mandatory and nonmandatory seats. This new and completely democratic regulation was met with the support and understanding of the factory workers, institute employees, and village inhabitants. The elections brought about a mandate for those possessing the confidence of the populace. The executive board expressed its thanks and acknowledgement to court employees, the public prosecutor's office, to legal advisors and to attorneys who had made a particular contribution to the competent and expedient electoral process.

Above all, the executive board acquainted itself with the progress of the reporting-programmatic campaign in the first echelon party organizations. The executive board also acquainted itself with the progress of preparation for the voivodship conference which is scheduled for the second half of January 1983.

## Party Tasks in Ideological Training

Bialystok GAZETA WSPOLCZESNA in Polish 10 Jan 83 pp 1, 2

[Article by (a.w.)]

[Text] The past year was characterized by a gradual rebuilding of party ideological activity. There was a significant increase in the number of Basic Party Organizations [POP] carrying out instructional activity. Activist training of those who fulfill appointment functions in cells and in basic party organizations, as well as activists in public organizations, instructors, seminarists, teachers, and lecturers was developed. Nevertheless, there remains much to be done in this field.

The [7 January 1983] Bialystok regional conference of Polish United Workers' Party ideological training directors and voivodship deputies was dedicated to the problems of enrichment and improvement of forms and methods in ideological work and party training. Voivodship administrative representatives from Biala Podlaska, Bialystok, Ciechanow, Elblag, Lomza, Lodz, Olsztyn, Ostroleka, Plock, Skierniewice, Suwalki, and Warsaw participated in the conference.

Andrzej Czyz, deputy director of the Central Committee Ideological Department chaired the session. During the course of the conference, Mikolaj Kozak, the Polish United Workers' Party Bialystok voivodship committee secretary, presented information on the sociopolitical situation. The Central Committee members, in turn discussed the results of party schooling scrutiny carried out by the collective body in the Bialystok voivodship. The program was affirmatively appraised, while certain forms of village schooling were noted to merit popularization in other regions of the nation.

Voivodship ideological formation center (WOKI) representatives from other voivodships shared their observations concerning the conditions, achievements, and problems involved in the training activities. Suggested, among other things, was the need for a return to the Polish United Workers' Party Ideological-Program Declaration, the strengthening of ideological-educational activity in enterprises and communal centers, and the amelioration of the technical base of the basic administrative units and regional party activist centers.

Andrzej Czyz assumed an attitude towards the already stated problems by also discussing the preparation procedures for the upcoming Central Committee plenum scheduled for the second quarter of 1983, and dedicated to problems of party ideology.

12229

CSO: 2600/288

KRAKOW PROVINCE PARTY ACTIVITIES NOTED

Mayor Candidate Tadeusz Salwa

Krakow ECHO KRAKOWA in Polish 9 Dec 82 pp 1, 2

[Article by JW: "The Council Members Have Approved the Candidacy of Tadeusz Salwa for the Post of Mayor of Krakow"]

[Text] The main point of the proceedings of yesterday's 17th extraordinary session of the People's Council of Krakow was issuing an opinion on a candidate for mayor. As we know, the present mayor of Krakow, Jozef Gajewicz, was elected first secretary of the Krakow party committee at the end of October.

Jan Jablonski, the deputy minister of administration, local economy, and environment, who participated in yesterday's session, with the authorization of the premier, presented the candidacy of Tadeusz Salwa, the present (since 1980) deputy mayor of Krakow, and previously the deputy chief and chief of the Krowdrz district. The candidacy was approved by the Presidium of the People's Council, as well as the representatives of all of the workers' collectives (the PZPR [Polish United Workers' Party], the ZSL [United Peasant Party], the SD [Democratic Party], and the nonparty members), who also spoke during the proceedings. In a secret vote, the Council members approved the candidacy of Tadeusz Salwa for the post of mayor. Of the 128 voting, 117 were for and 11 were against.

At the proposal of the Presidium of the People's Council of Krakow, the State Council has awarded Jozef Gajewicz the Chivalrous Cross of the Order of the Revival of Poland. The award was conferred by Wieslaw Gondek, the chairman of the Presidium of the People's Council of Krakow, and deputy minister Jan Jablonski.

A report on the current socioeconomic situation in the Krakow voivodship was presented by Jozef Gajewicz. The most important element of the situation is the stabilization of social attitudes, which is particularly evident among the work forces. Stabilization obviously does not mean satisfaction. There is an awareness of a great deal of trouble, but at the same time, there is a conviction that the only way out of the crisis is through intensified work.



An important factor contributing to stabilization was the visit to Krakow by General Wojciech Jaruzelski. Other indications of stabilization are the appearance of the Provisional Voivodship Council of PRON [Patriotic Movement for National Rebirth] and the regeneration of the trade union movement. Initiative groups and founding committees are operating at 350 enterprises, and 30 trade unions have been registered with the Court.

An increase in production sold occurred in October for the first time in 27 months. Its value was 23.4 billion zlotys, i.e., 2.5 percent more than in September. According to the estimated data, in November it will reach the amount of 24.4 billion zlotys, or 6 percent more than in the analogous period last year. Nevertheless, for the first 11 months only 96.2 percent of the plan has been carried out.

Industry is fulfilling its tasks, struggling with enormous difficulties, for the most part associated with supply (the sanctions). There are also shortages in employment, especially among workers directly involved in production. At the same time, however, the enterprises that are reducing production (even to a considerable extent) are not reducing employment, and are achieving good economic results due to price manipulations. The mayor stated that we would sharply oppose this phenomenon.

Construction is not going well. Of the 4,805 residences planned for the first ten months, the builders barely delivered 2,156. The completion of investment tasks has likewise advanced by barely two thirds. The situation in the market for food products has been normalized, but the situation for industrial products is considerably worse.

If the recently observed favorable trends are maintained, however, one may expect that in the course of the next three years we will emerge from this painful crisis.

The session's program continued with questions from the council members and answers to them by the mayor. These questions had to do with the faulty structure of the enterprises of the communal economy, and poor illumination in three villages of the Liszka municipality.

Salwa--New Krakow Mayor

Krakow ECHO KRAKOWA in Polish 10-11-12 Dec 82 p 1

[Text] The chairman of the Council of Ministers, in connection with the selection of Jozef Gajewicz as the first secretary of the Krakow Committee of the PZPR, relieved him of the post of mayor of Krakow, and after consulting the People's Council of the city of Krakow, appointed Tadeusz Salwa to that post.

Tadeusz Salwa was born in 1943 in Bogoniowicy, in the Tarnow voivodship, in a peasant family. He graduated from the Jagiellonian University in Krakow with a master's degree in administration. In 1974 he was appointed to the post of deputy chief of that district, and in 1979 to the post of chief of that district. Since 1980 he has been deputy mayor of Krakow and the chairman of the voivodship planning commission.



## Krakow Party Plenum

Krakow DZIENNIK POLSKI in Polish 13 Dec 82 pp 1, 4

[Article by Ryszard Niemiec: "The Plenum of the Krakow Committee of the Party on the Prerequisites and Goals of the Socioeconomic Development of the Voivodship"]

[Text] The plenary meeting of the Krakow Committee scheduled for last Friday took up the "Targets for the Development of the Krakow Municipal Voivodship for 1983-1985" prepared by the city administration. Before the document goes before a meeting of the People's Council for final confirmation, a party position will be determined regarding its economic goals, especially those for which a social priority was set by the 10th Plenum of the PZPR Central Committee.

The six-hour meeting, which took place in the presence of Prof Hieronim Kubiak, a member of the political bureau of the Central Committee, was chaired by Jozef Gajewicz, the first secretary of the Krakow organization. It was very much a working and discussion meeting, and was often even polemical. Consequently, a realistic view was outlined with respect to practical methods for surmounting the development thresholds lying before Krakow. A strong intellectual stimulus, inspiring an exchange of views about what party organizations and bodies should do, in order to keep the development targets from being merely paper ones, was provided by the executive report delivered by Wladyslaw Kaczmarek, secretary of the Krakow Committee.

At its 10th plenum, the party decidedly announced itself to be in favor of giving priority to feeding the people and supplying the population with essential industrial products, residential construction, and social protection of those earning least. These prerequisites also determine the form and nature of the development goals of the Krakow municipal voivodship. The binding version of the National Socioeconomic Plan for 1983 and the preliminary targets until 1990 allocate 15.3 billion investment zlotys for the development of the priority Krakow region. Everyone who knows the delays and economic imbalances of the city and the Krakow region--and they are known by every citizen, continually "educated" by the painfulness of the receding residential horizon, the shortages of heat, water, hospital beds, and sometimes by the signs of environmental pollution, which can be observed both on monuments and on one's own children--knows that this amount, which is otherwise imposing, is far too little to meet the needs when divided by three.

The report did not shy away from stating the above-mentioned truths, but it also proposed consideration of two variants for utilizing the funds allocated. The Executive's proposal envisions the possibility of transferring funds from two areas; the communal economy and public health, since they absorb as much as 77 percent of outlays. Taking funds from public health and cutting back the investment program of the communal economy means a more rapid development of the infrastructure for future housing developments, which will open up the

possibility of constructing a larger number of residences, thus alleviating the severe shortage of rental units. The reduction in funds for communal needs means that it will not be possible until the following five-year plan to overcome the regression in hospital administration and medical care. Arguments marked by a great deal of responsibility were put forward, and there were some opposing arguments. The balance, however, was decidedly in favor of the procommunal version, for which the party council members of the Krakow People's Council will vote.

A definite achievement of the plenum is working out a method for resolving the problems of the voivodship's shortage of funds for investments. It was decided that the central administration would be asked to consider the possibility of allocating additional outlays, but after the funds already available had been completely used. A possible enrichment of the development program can and should be sought in management of our own reserves as they are uncovered. Where should they be sought? In the efficient management of raw materials, including local ones, in new designs and technologies, for which the Krakow scientific-industrial center is responsible, in continually working on the problem of low productivity, and in better utilization of human resources, as well as the significant productive potential lying in industry and construction. In particular, more significant progress can be made in construction if industrial plants provide assistance to a greater degree. This has to do with reviving plant construction, using plant forces and resources for infrastructural, installation, and finishing work. The discussion extended to examples outside of Krakow, pointing out the existence of many possibilities in this regard. Prof Julian Rejduch cited the initiative of the work force of the IGLOOPOL Agricultural and Industrial Combine in Debicki, which is resolving its own residential problems in a comprehensive manner. Mayor Tadeusz Salwa, in his speech, explicitly raised the question of whether the phenomenon should be maintained in the long term, on the basis of the fact that the third largest construction potential in the country cannot revise the funds allocated to the voivodship every year... Jerzy Kurdziel, Marian Kieczkowski, Zdzislaw Kosinski, and Tadeusz Krupczynski, among others, expressed hope for favorable economic results from the reform instituted.

Such results might make it possible to give the enterprises additional funds, which at the initiative of the local administrations could become involved in resolving the communal barriers in Krakow.

One must acknowledge the statements in the discussion that pointed out the procrastination and lack of courage in planning the production rates for several enterprises. Kazimierz Morawski, the chairman of the PZPR Central Review Commission, who was present at the plenum, as well as Stanislaw Korzen, Stanislaw Spolnik, and Maciej Tondos, concentrated on the obligations of party cells in the context of creating a favorable atmosphere among the work force for the resolutions of the 10th Plenum of the Central Committee and for the resolution of the plenum of the Krakow Committee of the party, which was derived from them.

On this occasion a certain myth was dispelled in connection with the hopes for an administrative resolution (through a modification of the borders of the voivodship) of Krakow's food supply shortages. The fact is, according to the report, that Krakow's agriculture is scarcely covering 40 percent of the needs of the population, but that we should also aim at supplying ourselves with potatoes, vegetables, and fruit by improving the forms of collection and improving the storage base.

The speech by deputy premier Zbigniew Szalajda contained several references to the themes of the discussion, and was not, since it could not be, a presentation of a list of promises linked by a thread of wishful thinking. On the contrary, it was a lesson in treading on the sticky ground of economic realities, and getting rid of delusions, and a review, from a truly engineering point of view, of the country's economic realities.

The plenum confirmed Henryk Szydlowski, the former deputy managing editor of the Krakow branch of the National Publishing Agency, in the post of director of the Division of Ideological and Educational Work of the Krakow Committee of the PZPR.

At the end of the session, a resolution was adopted (with one vote opposed and four abstaining) that designates the directions for the socioeconomic development of the voivodship. Also approved was a schedule for the work of the political and organizational committees and the party organizations following the 10th Plenum of the Central Committee of the party.

9909

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WEST EUROPEAN 'NEUTRALIZATION', SPLIT WITH U.S. ANALYZED

Warsaw TRYBUNA LUDU in Polish 13 Jan 83 p 6

/Article by Ignacy Krasicke: "What is Western Europe Aiming At?"

/Text/ The last council of the Political Consultative of the Warsaw Pact nations evoked numerous and significant reactions all over the world. Many interesting voices could be heard, especially from Western Europe where the offer of the socialist countries regarding the nonuse of force between the two alliance groupings was received with interest and approval, often even in government circles. Once again these voices shed a bright light on the whole of the complex relations between Western Europe and the U.S.

For some time now, two key issues became gauges of the ongoing crisis in this area. First, there is President Reagan's military policy, and second--there is economic cooperation with the USSR and, in general, with socialist Eastern Europe.

In the fall of 1983 the Pentagon intends to place medium-range Pershing missiles on the territories of its European allies. If this occurs, the NATO countries of Europe would stand face to face with the danger of mass extermination. It is known that from its side the Warsaw Pact would have to reply with an appropriate increase in the striking power of the weapons in their countries.

Pershing Missiles and Wheat

This upsets tens of millions of people in the western part of our continent who do not want to share the fate of the residents of Hiroshima and Nagasaki. And it matters not what their political views or religious beliefs are or whether they love or hate communism. Thus, over the last few months antiwar manifestations have increased in Western Europe.

Needless to say, at a safe distance accross the ocean, this issue divides the U.S. to a much lesser degree. For that segment of U.S. opinion that continues to believe in Reagan, Pershing missiles located on the "appendix of Asia," as Europe was called at one time, represent one of the trump cards in the global East-West contest.

Another important concern exhibiting a divergence of U.S. and Western European positions concerns trade with the East. The signing of the EEC contract for Siberian gas means that by the end of this century the Soviet Union will obtain about \$8 billion annually from Western Europe. The celebrated contract of the century is a stumbling block for President Reagan. But the Western European governments show no sympathy for the above situation. A short time ago LE MONDE DIPLOMATIQUE wrote that the U.S. did not manage to fool anyone: "This is strictly for internal political reasons--to relieve the fears of voters from the Midwest--Washington is exporting wheat to a country they say they would like to weaken. President Reagan wants to conduct an economic war against the USSR but only at the cost of Europe."

Both controversial issues are occurring today within a highly complex international context. And they are the results and not the causes of the increasing conflict between Western Europe and the U.S.

A loud echo resounded in Western Europe when it was learned that in case of a nuclear encounter along the Elbe, the U.S. would evacuate one-third of FRG's area, leaving such cities as Hamburg, Munich and others to fend for themselves. The INTERNATIONAL HERALD TRIBUNE commented that the somewhat programmatic announcement of the U.S. "not to get itself involved in the initial phase of a nuclear conflict in Europe undermined the credibility of the U.S. protective umbrella."

#### Trend Toward Neutralization

The sharp controversies surrounding the so-called Euro=missiles disclose a strong distaste in Western Europe for new types of nuclear weapons, especially--at one time--the neutron bomb and now the MX missile. With increasing distrust, the U.S. allies are also following the increasing costs of U.S. weapons. Last year it was \$183 billion. In 1983 it will be \$225 billion and up to 1986 it will reach the astronomical sum of \$1.6 trillion! C. Weinberger, the U.S. secretary of defense, does not deny that such a monstrously inflated U.S. defense program also implies further, significant military outlays by NATO's European members. The latter, however, are in no hurry to do this.

Last fall the Atlantic Institute in Paris commissioned the well-known public opinion firm of Louis Harris to poll the public opinion in seven Western European countries about problems among the allies. The results of these investigations indicate that most people who were asked not only expressed distrust of present American military policy but, what is more important, they also questioned the need for the already-mentioned U.S. nuclear umbrella in Europe. Commenting on these results at the end of 1982, some American dailies reported that a 'neutralization trend' has been growing in Western Europe for some time now.

#### 'Total Neutralization'

The sharpening conflict between the U.S. and its European partners are also the result of Washington's subordination of certain allied capitals. When

C. Weinberger stated with brutal frankness in March 1982 during the inter-alliance conference in Munich that the U.S. no longer recognizes the old 1967 NATO formula of defense and detente and is replacing it with a 'strategy of total confrontation,' he was thinking of something more than just emphasizing the latest goals of the Reagan administration.

Aware of the growing neutralization trend, American experts believe that Washington should impose on its allies a global concept of defense which in practice would 'straighten up the ranks' and not permit emancipation by way of an independent dialog with the East. Among other things, the anti-Polish sanctions implemented and inspired by the U.S. are supposed to serve this purpose. In this way, the U.S. hopes to achieve a tactical priority goal: to hold its increasingly less dependable allies within the tight rein of Atlantic solidarity.

And what is the aim of Western Europe at the beginning of 1983 in this difficult and sharpening situation?

A partial answer to this question is provided by the above-mentioned Western European reaction to the proposal of the Political Consultative Committee of the Warsaw Pact nations. Among the nations of Europe, who wants to repudiate force more in relations between the Warsaw Pact and NATO?

A similar phenomenon discredits certain EEC circles regarding anti-Soviet and anti-Polish economic sanctions. There are many signs that today Western Europe is more interested in a return to dialogue, detente and cooperation with the socialist countries than, as the Reagan administration would like, more confrontation.

11899

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FORMER JOURNALIST ASSOCIATION CHAIRMAN CRITICIZES REGIME

Bratkowski Speaks at Church

London DZIENNIK POLSKI I DZIENNIK ZOLNIERZA in Polish 11 Jan 83 p 1

/Article: "Ex-Communist Severely Criticizes the Military Dictatorship in Church"/

/Text/ Stefan Bratkowski, former chairman of the disbanded Association of Polish Journalists, made an exceptionally sincere and brave speech in a church in Podkowa Lesna near Warsaw in which he severely criticized the military regime, but at the same time he called for the renunciation of emotional hostility against the Soviets with whom, as permanent neighbors, Poland must find way to coexist and collaborate.

Stefan Bratkowski, aged 48, was a PZPR member for many years. He was expelled from the Party in 1981 as a liberal. For some time after martial law was declared he went into hiding. He surfaced after the Association of Polish Journalists was disbanded and after the regime created the submissive Union of Journalists of the PRL /Polish People's Republic/. His appearance at the church as a known personality to deliver a courageous, pro-Solidarity and opposition speech was the first public analysis of the current situation in the PRL.

About 500 people heard Bratkowski, interrupting him many times with applause. Undoubtedly, among the listeners were agents of the security forces who certainly recorded some words of opposition that certainly could not appear in the heavily censored press.

Success and Defeat

Speaking about the martial law, the lecturer said that the entire operation was aimed at the entire nation and not Solidarity extremists. From the military standpoint, it was a success, but from the political standpoint it was a complete failure /hybiona/, especially economically. There was no collaboration between the workers and the government and enterprises;



productive work was not applied and in the long run even the army was weakened. Its popularity and proficiency have diminished because it was transformed into an occupying force and bureaucratic administration. The methods of force blocked the way to economic reforms.

"The PRL is not a state," Bratkowski said. "It is simply a mess. No one is doing here that which he should be doing. No one has any faith in Polish money, any feeling of partnership and collaboration of citizen with the state."

#### The Soviets

In comparing the PRL with the Soviets, Bratkowski said that a cult of power exists in the Soviet Union and that people identify with the state. In the Soviet Union reforms can come only from the top. It is entirely different in Poland; reforms are not possible without the collaboration of the people, who must, however, expand their democratic methods.

Bratkowski further stated that Poles have cause for resentment against the Soviet Union; but he condemned the emotional animosity and said that the geopolitical situation should be kept in mind.

He said: "The influence of our eastern neighbor is immense, and we do not wish to be their enemy. They are and will remain our neighbors, and thus we must work out some kind of collaboration."

Pondering the idea of teaching Poles the mechanisms of democracy, Bratkowski suggested that economic cooperatives be created. He added that ignorance of democratic procedures was one of the main problems of young Solidarity activists.

#### The Economic Situation

Speaking about the current economic situation, Bratkowski stated that the decrease in industrial production is greater than the regime will acknowledge. He directly questioned the regime's data given by the mass media.

#### 'TRYBUNA LUDU' Commentary

Warsaw TRYBUNA LUDU in Polish 13 Jan 83 p 5

/Article by (mn); "Dog-Days in January?"

/Text/ It seems that the powers that be of western sources of mass information (and misinformation) continue to expect their servants to supply them with sensational news from Poland. In the meantime, life does not favor this expectation. What should be done in such situations?

Lately, in Polish-language broadcasts and western press agency stories, two 'events' have been ennobled and promulgated. First, the appearance for sale at newsstands of 1983 calendars bearing nude women. This fact was noted

extensively in many ways and accompanied by various sophisticated commentaries of a psychological-social-political nature. Among them was one that stated that it is a kind of sabotage of the regime against the Church (!). Warsaw's western correspondents seemed not to have noticed that for years exposed bosoms have been an abiding element of the landscape of some of our publications, films and even theater presentations. What will happen when they pay attention?

The second event, which was extensively covered by western agencies, was the 'sermon' delivered by Stefan Bratkowski at a Podkowa Lesna church. We readily acknowledge that it is a fact that is much more original than the foregoing, if for no other reason than it was the debut of S. Bratkowski in a new role. From the news carried by some agencies and, of course, Radio Free Europe, it appears that the contents of the speech were not so original after all. Bratkowski is simply repeating himself. He has nothing to offer except negative opinions of everything in which he does not participate responsibly. It is the showy trick of a man dreaming of becoming a martyr. Is this sensational enough? It turns out to be so, especially since there are no other sensations to be had.

11899

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OPINION SURVEY CENTER DIRECTOR VIEWS TASKS, METHODS

PM261453 Wroclaw SLOWO POLSKIE in Polish 4 Jan83 p 4

[Interview with the director of the Public Opinion Survey Center [CBOS], Doc (Dr Hab) Col Stanislaw Kwiatkowski, by Teresa Kwasniewska--date, place not given]

[Text] [Question] There is an enormous need for contact between the authority and the citizens. This need was confirmed, to give an example, by the latest meeting between Deputy Premier Rakowski and the authors of letters to the government. Does the center wish to mediate in these contacts?

[Answer] The awareness of public opinion, gathered mostly from individual talks and people's pronouncements at public meetings and employees' meetings with management, is very helpful, but it is incomplete. The concurrence of several opinions cannot be taken to represent a legitimate confirmation of the fact that certain trends exist in the opinions of the majority of the population. We can assume that such meetings serve to confirm the state leadership in the conviction that it is necessary to reach deeper, with the help of scientific tools. That is the first thing. The second is that we are mostly interested in the opinion of the working class representing large-scale industry. We want to operate in workers' self-management bodies, trade unions, party organizations--in other words, in those social organisms which represent the opinion of the given social groups. We regard as valuable these opinions which are not "held in general" but represent concrete social strata or professional groups--which are, after all, widely divergent in their opinions, judgments and interests. We can take it for granted that the owner of a farm with specialized production will think in terms different from those of the farmer-worker [chloporobotnik] and that the foreman, or the engineer, will view various social problems in a different light from that of the unskilled worker. We cannot afford to ignore these considerations when making generalizations.

[Question] Is the center going to act as a rival institution to such existing centers as, for instance, the Radio Committee's Public Opinion Survey Center?

[Answer] We do not intend to compete with them but to cooperate and coordinate our findings instead. Both intentions stem from our public duty and our convictions. Our experience in this field is still limited and we will gladly use other institutions' experience. It is difficult to obtain optimal results of scientific investigation without an exchange of thought or discussion. Thanks to the goodwill of the directors of the Warsaw Center, our specialists are trained there to gain experience and extend their knowledge. Our program of cooperation with the Poznan Academy of Economics is also taking concrete shape. Aside from that, we are already receiving offers from various centers operating within particular industries, in academic establishments and elsewhere.

A separate question is the consultation with people who are authorities on the subject. We want to know--not only out of a sense of duty--what the others are doing, to coordinate some of our efforts, to commission study papers on various subjects, to bring the results of other centers' scientific investigation closer to our practice so that they may serve as an instrument of effective action for the needs of the government and for the benefit of society.

We want the results of our scientific studies in this field to give support to the difficult processes of decisionmaking and to ensure that the government gets a regular input of objective information. It is a great opportunity for those who want to discharge their great public duties honestly and thoroughly, with sound knowledge of the subject, taking into account the citizens' opinions and knowledge, and what they have to say on a great number of subjects, including the state of public affairs, the manner in which power is exercised, their own expectations and so on.

[Question] The conclusions reached after your study and soundings will, then, be addressed to the authorities, with the latter broadly defined?

[Answer] To our state leadership: the chairman of the Council of Ministers, the Government Presidium, the Council of Ministers' Sociopolitical Commission, the premier's Consultative Economic Council and the government's spokesman. But we also want our Polish society to know what the current opinions in the country are, and the current needs. Our plans stem mainly, but not exclusively, from the government's plans.

[Question] How have the center's first few days gone?

[Answer] At the moment we are preoccupied with preparing our technical and administrative base, to say nothing of the scientific cadres. I attach the greatest importance to the matter of our cadres. The people we employ will decide the center's status and its future.

We are already getting hundreds of letters from private individuals and from institutions declaring their wish to cooperate with us. Incidentally, I wish to thank our correspondents for their letters, propositions and offers. We are waiting for more. Our address: CBOS [Centrum Badania Opinii Społecznej], ul. Zurawia 4A.

[Question] What do they write about?

[Answer] Literally everything. For many, our establishment has come to represent yet another chance to solve some problem which has been troubling them for years, from resiting a streetcar stop, or getting someone a pension, to concrete proposals of solutions concerning the economic reform. We value all comments and suggestions. But it is not our role to intervene in every individual matter. In this we cooperate with the Complaints and Correspondence Bureau of the Office of the Council of Ministers. We submit the letters we receive to sociological "processing": We describe and code-tag them, and so on. Very often the problems about which our correspondents write to us are duplicated in many letters, thus signaling the social extent of those phenomena. We will notify the relevant government institutions of such matters.

We are going to open a "duty" telephone line, manned for at least 12 hours a day, to give all citizens yet another opportunity to let us know their comments, ideas and suggestions. It is not easy to obtain a new telephone line in the heart of Warsaw, and this is delaying the whole enterprise. For us it would be another source of information. As to our formulating any diagnoses concerning public opinion, we want to do this after having made use of every possible source of information: questionnaires, opinion polls, letters, telephone calls and so on. That is a matter of the investigative techniques which will allow us to arrive at relatively objective conclusions.

It is as yet too early to discuss the question of our techniques and other such things.

[Interviewer] Thank you for the conversation.

CSO: 2600/350

WROCLAW PROVINCE PARTY ACTIVITIES NOTED

Executive Board on Residential Construction

Wroclaw GAZETA ROBOTNICZA in Polish 10 Nov 82 p 1

[Text] Yesterday, under the chairmanship of Comrade Tadeusz Porebski, member of the Political Bureau and first secretary of the KW [Voivodship Committee] of the PZPR [Polish United Workers' Party], the Executive Board of the KW met in Wroclaw.

The Executive Board of the KW familiarized itself with and discussed the basic documents prepared for the plenum that define the tasks of residential construction up to 1990. The presented materials were worked out with the participation of the social aktiv and groups of experts and were subjected to public discussion.

The Executive Board of the KW acquainted itself with the information on the initiation and functioning of the incentive system in state enterprises. Proposals acknowledged as expedient included a proposal on the speeding up of work on comprehensive incentive systems in those enterprises in which the work has been going on in a way which has not guaranteed their introduction on 1 January 1983. The directors of the enterprises were advised to discuss projects with workers' councils, with plant consultative-advisory groups and with groups initiating trade unions. The Executive Board of the KW recommended that the projects of the incentive systems become a subject of discussion of party meetings, plant committees and executive boards of the POP (Basic Party Organization).

The Executive Board of the KW also acquainted itself with the course to date of individual discussions and the reporting campaign.

Pre-Plenum Meeting on Residential Construction

Wroclaw GAZETA ROBOTNICZA in Polish 17 Nov 82 pp 1, 2

[Article by dob: "Before the Plenum of the Voivodship Committee of the PZPR in Wroclaw. Housing: How Great Is the Need? How Much Can Be Built?"]

[Text] In the housing cooperatives of Wroclaw and other cities of Wroclaw Voivodship, 113,000 members and candidates are waiting for housing. Last

year in socialized multifamily construction, we gained 4,200 new apartment units. For this year, 3,770 apartment units are planned, but actually we will gain no more than 3,000. Next year, according to initial estimates 4,000 apartments should be built. Looking at these figures, there is no way to avoid noticing that the waiting period for housing is becoming longer and longer.

The question arises of how to solve the problems of housing construction and housing policy so that there is a chance of fulfilling the social needs in this regard. The answer to this question will come with the plenum of the KW of the PZPR in Wroclaw that is now being prepared and will take place on 27 November 1982. The group preparing the materials for the plenum began with the verification of needs. It is true that the number of housing cooperative members waiting for housing is not the best measure. First of all, this does not include all those in need of housing; secondly, many of those registered in cooperatives can get along without a new apartment.

The group mentioned concluded that in the current decade, that is up to 1990, 66,000 new housing units should be built in Wroclaw Voivodship in order to solve the most urgent housing problems. This does not mean an improvement of the general situation but it is the minimum, without which no future can be projected, because from 1990, a new demographic peak will be reached, and related to this, housing demand will increase.

It is foreseen, as was said yesterday at the press conference with the participation of secretaries of the KW of the PZPR Marian Mazur and Boguslaw Wieczorek and vice-governor Milolaj Hankiewicz that among these 66,000 apartment units, about 50,000 will be built by general construction enterprises and the rest by other builders, including private construction.

Wroclaw has great technical potential in construction. It has four home-building factories and other prefabricated products factories, but the point is that we are not able to fully utilize this potential. Standing in the way, among other factors, is the shortage of people, especially for finishing work, problems with new terrain under construction, huge costs, and the extensive time involved in creating the technical infrastructure for new communities, etc.

Fortunately, in Wroclaw some of the basic municipal installations in residential construction are either functioning properly or in the near future will be appropriately developed. This pertains, for example, to the supply of gas, water and heat. Conditions are worse with the distribution system which is old and often requires replacement. Also, for the time being no possibility can be seen for quick construction of a central sewage treatment plant which the city urgently needs.

The real problem is the condition of existing residential housing, the extent and costs of their repair and the extent of the deterioration of old housing. If we do not improve the extravagant, to date, and often wasteful management of old housing resources, it will be difficult for new construction to keep up with our needs.



## Executive Board on Regional Economics

Wroclaw GAZETA ROBOTNICZA in Polish 23 Nov 82 p 1

[Text] Yesterday, the Executive Board of the KW of the party met in Wroclaw.

The Executive Board considered organizational suppositions presented by the Wroclaw governor concerning the establishment in the voivodship in so-called economic regions composed of 3-5 neighboring gmina [parishes]. The aim of this is to improve the management of the work of economic units and state institutions which are active in several of the gminas, to create better conditions for initiating and implementing measures which are important from the viewpoint of the people of the entire "region," and also to improve the coordination work being done by the governor.

Next, the Executive Board of the KW acquainted itself with the report on the state of the voivodship that constituted a continuation of detailed information on the state of particular areas of economic and social life prepared earlier by a group of experts. In the discussion on the report, attention was given to its becoming a point of departure for making comprehensive evaluations of the situation in the cities and gminas. The working out of that report makes possible a better utilization of funds, e.g., for the social infrastructure. The Executive Board charged the administrative authorities with updating the plans for territorial development on the basis of conclusion drawn from the report.

The Executive Board of the KW also made an evaluation of the initiation and functioning of economic reforms in Wroclaw Voivodship during the three quarters of this year (1982). Attention was paid to the signs of an increase in the effectiveness of management and improvement in the utilization of production factors.

## Plenary Session on Housing

Wroclaw GAZETA ROBOTNICZA in Polish 30 Nov 82 pp 1, 2

[Article by hsm: "From the Plenary Session of the Voivodship Committee of the PZPR in Wroclaw. How to Guarantee Housing for Every Family"]

[Text] (own information) Yesterday's plenary session of the KW of the PZPR in Wroclaw that was exceptionally long and strenuous was devoted to one of the most difficult and most important Polish problems--housing construction. The party, in addition to the issues related to feeding the nation, moved it to the foremost place in its undertakings. So also was this problem treated during the plenary session of the Wroclaw party echelons, which was led by member of the Political Bureau of the Central Committee, first secretary of the KW, Comrade Tadeusz Porebski. Participating in the plenum were: secretary of the Central Committee, Comrade Manfred Gorywoda and minister of construction and the industry of building materials, Comrade Stanislaw Kukuryka, as well as representatives of the voivodship authorities of the United Peasants' Party and the Democratic Party.

The report of the Executive Board of the KW was presented by secretary of the KW, Comrade Marian Mazur. The participants of the conference earlier received a large amount of written material. The preparations for the plenary session of the party echelons were lengthy. Among other subjects, there were numerous discussions on the subject of housing in the most diverse communities of Wroclaw and the voivodship. About 1,000 persons participated in them, half of whom voiced an opinion in the discussion. As a result, the first drafts of the written materials for the plenary session were considerably revised.

The voivodship party echelon, as Comrade Mazur emphasized, has many times taken up the issue of housing construction, and also in the difficult period after August. Although the housing need is tremendous, it must objectively be said that the achievements are considerable. In the postwar period, above all in the 1960's and 1970's, especially thanks to drywall technology so criticized elsewhere (since of course it does have its faults) in Wroclaw and the voivodship, 132,000 housing units were built. This constitutes almost 50 percent of present housing resources. The peak year was 1979 when almost 9,500 housing units were built. Since that time there has been noted a distinct decline in construction, not only as a result of material and construction difficulties but also as a result of a decline in work efficiency, a worsening of work organization and a relaxing of discipline. In the number of housing units built we have backed up to the 1965 level. This year calls for about 3,000 apartments in multifamily buildings and about 700 units in single-family buildings.

Current information speaks of 113,000 persons waiting for housing in Wroclaw and the voivodship. This figure was analyzed and checked during the preparatory work for the KW plenum. It is thought that the most urgent housing needs up to 1990 will amount to 66,000 units. Such a figure is being considered at present in the assumptions of the program being prepared by the Offices of Wroclaw Voivodship and the City of Wroclaw.

The report noted that a complex view of housing problems is necessary. Very important is the conservation of housing resources. It is necessary, therefore, to devote proper attention, and of course manufacturing capacity and means, to the renovation of houses. In Wroclaw and the voivodship, it is estimated that renovation would encompass about 80,000 units.

After the report, there was a lively discussion lasting many hours in which 17 comrades voiced opinions. Many of them questioned the materials presented to the participants of the plenum and debated with each other. Everyone agreed, however, that it is necessary to guarantee priority to housing construction, to create such conditions that the tasks accepted in the resolution are fully completed. Therefore, the joint activity of all enterprises and institutions participating in the investment process is necessary. The system of planning should be changed. Enterprises should know their tasks much earlier than the end of the year, this in order to be able to prepare appropriately, put in orders for materials, etc. Because the productive capacity of home-building factories is twice as large as the manufacturing capacity of general construction enterprises, industrial plants, youth

organized in ZSMP [Union of Socialist Polish Youth] and housing cooperative members should be included in finishing work. The extent of housing construction will depend on the solution of these problems. It is especially necessary to attend to the mechanics of finishing work.

In the construction enterprises a considerable decline in work efficiency and also in discipline has been noted. Disorder and wastefulness are occurring in some enterprises reaching as much as 30 percent of the total of materials. Economic reform should put an end to problems of this type but reform differing from the kind which industry is introducing since construction has its own specifics and duplication of those models will not bring results.

At the plenum, much attention was given to single-family construction. Attention was given to the need for changes in several regulations. The percentage of credits allocated to this construction should be lowered. Also, institutions which will provide complex information and give assistance to those putting up their own house should be established.

Taking part in the discussion were comrades: first secretary of the KZ [Plant Committee] of the Janikow Soda Works Kazimierz Rosiewicz, architect Witold Molicki, first secretary of the KMG [city-gmina committee] in Olesnica Stanislaw Palma, Tadeusz Polec of Brzeg Dolny, KW member Jan Kazior, secretary of the council of the Wroclaw Automotive Equipment Works Jerzy Kruk, KW member Franciszek Kloczkowski, director of WZBO [expansion unknown] Michal Matkowski, secretary of the ZW [Voivodship Union] of the ZSMP Zbigniew Makowski, president of the Department Administration of PZiITB [expansion unknown] Stefan Jasman, Jan Otworowski, KW member Jerzy Wieczorek, Roman Janik of Sobotka, Miroslaw Krupski of Wroclaw Construction Enterprise, vice-governor Mikolaj Hankiewicz, KW member Andrzej Drabinski, and first secretary of the Works Committee of Energomontaz Enterprise for Installation of Electric Power Plants and Industrial Equipment Wladyslaw Szuber.

Central Committee Secretary Manfred Gorywoda in his speech emphasized that the solution of the housing problem is a political matter of the first order. That is why it is necessary to create a broad national front to solve the housing problem acting on a similar principle as after the war when the slogan: "The entire nation is building its capital" was decreed. He noted that at present the state allocates for housing construction 30 percent of the total of investment outlays the same as for the food industry. These means should be used wisely and rationally with benefit for all of society.

Minister Stanislaw Kukuryka devoted his speech to the goals of the construction industry. Their aim is full implementation of economic reform, and that enterprises and crews were interested in an increase in production and work output, economical management, and an improvement in the quality of construction. Only in this way will it be possible to lead the construction industry out of the crisis and fully solve the housing problem in Poland.

The plenum of the KW accepted a resolution fixing ways of solving the housing question in Wroclaw and in the voivodship in the period up to 1990.

Next, the participants of the session received the information about the work of the Executive Board and the secretarial staff of the KW as well as the KW's sections and commissions dealing with particular problems in recent time; and also the timetable for fulfilling the resolution of the Tenth Plenum of the Central Committee of the PZPR.

Comrade Zdzislaw Jaworski in connection with his departure on a multiyear contract abroad requested release from the KW membership and the Executive Board of the KW. Elected to the Executive Board was Comrade Jan Domagala, ward head of the chest surgery section in the Specialist Group of Tuberculosis and Lung Diseases.

Elected to the KW membership were comrades Teresa Sobolewska, nurse in the Specialist Oncologic Group in Wroclaw and Iwona Trzeciecka analysis technician in the Voivodship Infection Hospital.

#### Board on Echelon Party Meetings

Wroclaw GAZETA ROBOTNICZA in Polish 7 Dec 82 p 1

[Text] Yesterday, the members of the Executive Board of the KW of the PZPR in Wroclaw met. They evaluated the fulfillment of the resolution of the joint plenary session of the KW of the PZPR and the Voivodship Committee of the ZSL (United Peasants' Party) from April of this year (1982). This was done on the basis of opinions gathered in November 1982 during the gmina councils of members of PZPR echelons and the ZSL with the participation of rural secretaries of POP [Basic Party Organization] and chairmen of ZSL circles.

Members of the Executive Board acquainted themselves with the sociopolitical situation in the area of the activity of the Regional Party Work Center in Trzebnica and initially evaluated the functioning of regional party work centers.

Also discussed was the project of the program of preparations for the celebration of the 40th anniversary of the return of Wroclaw and Lower Silesia to the Motherland.

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CSO: 2600/226

POLAND

LEGNICA PROVINCE PARTY ACTIVITIES NOTED

Plenum on Youth Role in Socialist Changes

Wroclaw GAZETA ROBOTNICZA in Polish 16 Nov 82 pp 1, 2

[Text] A plenary session of the PZPR Voivodship Committee was held yesterday in Legnica. Before the meeting was called to order, members attending the plenum observed a minute of silence to honor the memory of the late general secretary of the CPSU Central Committee and president of the presidium of the Supreme Soviet of the USSR, comrade Leonid Brezhnev. A condolences telegram was sent to the ambassador of the Soviet Union in Warsaw, comrade Boris Aristov, with expressions of sympathy for the party and peoples of the USSR on the occasion of this loss.

The preceedings of yesterday's Voivodship Committee plenum were devoted to an assessment of progress made toward the implementation of the resolutions passed by the 9th Plenum of the PZPR Central Committee and to the tasks facing the voivodship party organization in its work with young people. In calling the plenum to order the first secretary of the Voivodship Committee, comrade Jerzy Wilk, commented on the current social and political situation in the country at large and in the voivodship, noting, inter alia, that our political adversaries suffered a resounding defeat in connection with the events they had planned for 10 November. This was reflected above all in the fiasco of the strikes which had been called for and in the stand taken by the working class in favor of law and order and social tranquility.

The proceedings of the PZPR Voivodship Committee plenum were also attended by representatives of the following youth organizations: the Union of Polish Socialist Youth [ZSMP], the Rural Youth Union, the Polish Scouting Union, and the Voluntary Labor Corps. Also in attendance were: the chairman of the United Peasants Party Voivodship Committee, Eugeniusz Hasluk, the president of the Democratic Party Voivodship Committee, Janusz Chutowski, the voivoda of Legnica Voivodship, Zdzislaw Barczewski, and National Defense Committee commissioner, colonel Edward Kulpinski.

The Voivodship Committee report was delivered by committee secretary, comrade Zbigniew Korpaczewski. In describing the youth community of Legnica Voivodship he said that this is a very diverse social group both in vocational

and educational terms and also in terms of outlooks. This is largely attributable to things experienced by young people during the 1970s when the overblown promises made to them for getting ahead in life could not be fulfilled.

A realistic assessment of present conditions, as comrade Zbigniew Korpaczewski stated, dictates that we must now turn our attention in full earnest to the problems of education, especially so when it comes to the civic and ideological education of the younger generation. Among other things, this means that young people must realize that what happens to them now and in the future is largely up to them, their patriotic dedication and hard work.

The housing problem is one of the most important problems facing the younger generation. As was emphasized during the plenum proceedings--20 comrades took the floor during the discussions period to address this issue--it is most important that an effort should be made to show young people that there are ways they can solve this problem on their own by setting up young people's housing cooperatives, setting up their own industries for the production of building materials, renovating condemned dwellings, and so on. Young people who belong to the ZSMP have a right to be proud of the important things they have accomplished in this area. Members of youth organizations at the LEGMET machine building plant in Legnica, the poultry processing plant in Prochowice, and the "Rudna" mine in Polkowice have already gotten started on the construction of private housing by founding young people's housing cooperatives. The next of people waiting in line to become owners of future single-family homes often exceeds original expectations. This eagerness should be taken advantage of by drawing up plans for a suitable number of building lots and by providing young people with financial and material assistance in their work on such projects.

The social status of young people coming from different backgrounds was raised during the course of the discussion period. Many critical comments were made at the expense of workplaces which do not live up to their responsibilities when it comes to making provisions for the social and vocational adjustment of the younger generation. It was even noted that young people most often become demoralized and discouraged in those workplaces where, after completing their studies, they come to grips with a real workaday world which has nothing to do with their educational backgrounds. References were also made to the inferior status of rural youth who are deprived of many of the advantages enjoyed by their urban peers. Housing construction activity is also moving along at a snail's pace in rural areas. So, it is no wonder that approximately 60 percent of the graduates of agricultural schools are leaving the countryside and heading for cities, in spite of the educational qualifications which they have earned in these schools.

A great deal of attention was focused on the ideological attitudes of young people, the way we raise our young people, and the activities of youth organizations. In order to receive one must first give of oneself, giving as much as possible of course. Improper attitudes are developing among young people based on the indictment of the older generation for all of the consequences of the crisis. So, it is necessary to cultivate in young people

attitudes of responsibility for their own fate and for the fate of the entire nation. The generation which went through the last war, commented the president of the Voivodship Board of the ZSMP, Marek Zielinski, never called itself the generation of lost opportunities as is often done today by some young people.

During the discussion period a demand was also raised calling for the creation of a common platform of collaboration between individual youth organizations, since the kind of collaboration that exists now is not always channeled in the right direction. It was also proposed that a youth affairs committee should be appointed under the direction of the Legnica voivoda as a counterpart to the same kind of body under the direction of the government of the PRL.

After the wide-ranging discussion period, the PZPR Voivodship Committee plenum passed a resolution spelling out many specific things that need to be done. Among other things, it calls attention to the need to broaden the work of party units and organizations when it comes to the formation of a united educational policy front, launching programs aimed at the cultivation of socialist convictions among young people, and preparing young people for honest work and for life as members of a socialist society.

On the subject of organizational matters, comrade Hieronim Kosior asked to be relieved of his duties as a member of the plenum and Executive Board and as secretary of the party Voivodship Committee. The plenum accepted this resignation. Comrade Hieronim Kosior is transferring to a different line of work. The Voivodship Committee plenum enlarged its ranks and coopted onto the Executive Board comrades Krzysztof Jez, Piotr Czaja, and colonel Zdzislaw Nawara. At the same time, the first two comrades were assigned to serve as Voivodship Committee secretaries for economic affairs and public information affairs respectively. Other new members of the Voivodship Committee plenum are comrades Marek Sobkowiak, an electrician at the ELPO Clothing Plant in Legnica, Janusz Szurek, a blacksmith at ZMIMR [expansion unknown] in Jawor, and Andrzej Zalski, president of the Municipal Board of the ZSMP in Lubina.

#### Field Trip on Mining Enterprises

Wroclaw GAZETA ROBOTNICZA in Polish 2 Dec 82 p 1

[Article by: (kg)]

[Text] An extramural meeting of the PZPR Voivodship Committee Executive Board, presided over by the first secretary of the PZPR Voivodship Committee, comrade Jerzy Wilk, was held yesterday at the "Rudna" Mining Works.

The meeting was called in order to assess party work in mines belonging to the Copper Mining-Metallurgy Combine, enterprises which play a critical role in the voivodship economy.

It was noted that positive changes have occurred in the activities of mining enterprise party organizations and in the attitudes of party members and



workers employed in these enterprises. Among other ways, this is being manifested in the more and more militant advocacy of the party program by members working in the mining industry, the increased activism of basic party organizations, greater party discipline, and the rallying of party activists in support of their plant committees. During the discussion period it was stressed that plant party organizations have served as regular sources of inspiration for new programs. They have been active in this regard, among other ways, by helping to put the principles of the economic reform into practice, setting up a national reconciliation front, appointing social welfare commissions, reactivating workers self-management committees, and solving worker social services problems.

The Executive Board of the PZPR Voivodship Committee directed the miners' PZPR committee to make an ongoing study of the social and political situation in their workplace. Party units at the mine were enjoined to conduct private interview sessions with party members who are not making an active contribution to the implementation of party resolutions. It was pointed out that there is a need to step up party work among young workers employed at the mine.

On the occasion of the forthcoming mineworkers holiday celebrations the Executive Board of the PZPR Voivodship Committee offered its best wishes to miners and their families. It also expressed its appreciation and gratitude to all members of the mining trade for their dedication and commitment to the fulfillment of economic tasks.

#### Committee Meeting on Economic Reform

Wroclaw GAZETA ROBOTNICZA in Polish 21 Dec 82 pp 1, 2

[Article by: (kz)]

[Text] A plenary session of the PZPR Voivodship Committee was held yesterday in Legnica. The meeting was called in order to identify the tasks which must be performed by the voivodship party organization in the region's copper mining fields in the course of working toward the implementation of the resolution of the 10th Plenum of the party's Central Committee, but with special reference to the most important social and economic tasks facing the voivodship over the next 3 years, including in particular those tasks which must be performed in 1983. The proceedings were presided over by Voivodship Committee first secretary, comrade Jerzy Wilk. The meeting was also attended by members and alternate members of the PZPR Central Committee from Legnica Voivodship.

The report of the Executive Board of the PZPR Voivodship Committee on tasks to be performed by party organizations by way of implementing the resolutions of the Central Committee 10th Plenum was delivered by the Voivodship Committee secretary, comrade Krzysztof Jez. He stressed that members of the voivodship party organization conducted wide-ranging consultations on the materials drafted for yesterday's meeting with certain community groups and that the

revenues generated by this activity exceed the national average. The copper industry deserves most of the credit for this, but good performance records were also racked up by workers at many other plants such as FAMABA [Construction Machinery Factory] in Glogwo, POLLENA [Household Chemical Products Plant] in Jawor, the shoe factory in Zlotoryje, the Metal Products Factory and ZKiMR [expansion unknown] in Jawor, DOLZAMET [Lower Silesian Metallurgical Works] in Chojnow, and the PODGRODZIE cement works in Raciborowice.

The economic reform program has become an integral part of the operations of workplaces in Legnica Voivodship. Most of these workplaces have assimilated the principles of the economic reform program, but among lower-level management and rank-and-file workers knowledge about the reforms is still superficial. Many enterprises have proceeded properly in laying down wage and salary guidelines, and, in keeping with incentive-oriented ideas behind the reform program, they have linked the awarding of bonuses to the quantity and quality of work performed. A good job has been done in settling these matters at the HANKA Knitwear Plant in Legnica, at FAMABA in Glogow, and at the Metal Products Factory and ZKiMR in Jawor.

The metallurgical plant in Przemkow and the shoe factory in Zlotoryje are, among others, positive examples of what is being done to encourage offering up new ideas on how to improve management efficiency. However, as it turned out, the unusually favorable financial position of some enterprises during the first phase of the reform's implementation was the result of their having abused their autonomous decisionmaking powers in the area of costs and prices. Audits revealed, for example, that excessive profits were made by ELPO [Clothing Plant] in Legnica amounting to 18 million zlotys, by the "Mechanik" cooperative--more than 7 million zlotys, and by LEFANA [Tableware Factory] in Legnica--approximately 1.5 million zlotys. It was stressed that the economic reform program and enterprise autonomy privileges must serve the interests of the working class and society at large and should not be exploited for selfish ends.

Comrade Krzysztof Jez referred to several critical economic policy goals geared toward bringing about an improvement in personal living standards and the climate of public opinion. Among these goals he mentioned the following: finding a solution to the housing problem by promoting the growth of the construction industry, improving the level of consumer goods supplies (among other ways, by expanding the output of such goods), making full use of agricultural production capacities, improving the performance of health and social welfare services, eliminating all abuses of the provisions of the economic reform program aimed at the earning of excessive revenues, and finding ways to make the municipal services sector run more efficiently. Party organizations must also focus their attention on problems associated with the supply and proper performance of the retail trade sector.

The Legnica voivoda, Zdislaw Barczewski, outlined the targets set forth in the voivodship's socioeconomic development plan covering the period 1983-1985. He emphasized that the main objective of the projects planned for this period, especially for 1983, is to arrest the decline in living standards,

among other ways, by enhancing the quality of the national diet, improving social services, and so on. However the plan is not fully responsive to public expectations due to the scarcity of funds and capacities that is a product of the economic recession. The plan calls for a sharp increase in the output of the copper and machine-building industries as well as in the output of many plants producing consumer goods, including ELPO and RENIFER [Lower Silesia Light Leather Gloves Plant]. In the agricultural sector attention is focused mainly on the proper management of farm lands and bringing lands acquired from the State Land Fund under cultivation. The rebuilding of slaughter livestock herds will be a difficult task in light of the fact that cows and sows have been sold off due to the fodder shortage. In the multifamily housing construction industry it is projected that 3,400 apartments will be built next year and that 3,500 apartments will be built in the following years. The targets set under the terms of the 1983 socioeconomic plan will be debated in the near future at a session of the Voivodship People's Council.

In the next report Janusz Maciejewicz, general director of the Copper Mining-Metallurgy Combine in Lubin, discussed tasks facing the copper industry. Projections for this year call for the mining of 27 million tons of copper ore and the manufacture of 339,500 tons of electrolytic copper, that is, much more than was produced last year. In 1983 the output of electrolytic copper, which is the end product of the Copper Mining-Metallurgy Combine, will come to 347,200 tons, whereas in 1985 total output will come to 371,000 tons. Half of this total output will be sold for export. Through 1985 41.4 billion zlotys have been earmarked for capital investment. The most important capital projects will be the expansion of the "Rudna" mine, further work on the construction of the "Sieroszowice" mine, the stepped up output of the "Glogow" Copper Smelting Mill, and environmental protection programs.

The Voivodship Committee commissions responsible for living standards, the copper industry, and agriculture addressed themselves to the reports which were delivered by making a number of observations. The positions taken by these commissions were presented by Robert Burakowski, Wiktor Jalinski, and Wojciech Komornicki. During the discussion period statements were made by Jan Debicki, director of the Voivodship Statistical Bureau, Daniela Buczkowska, member of the Voivodship Committee Executive Board, Jan Bisztyga, president of the voivodship branch of PTE [expansion unknown], Adam Zygmanski, representing the "Glogow" Copper Smelting Mill, Zdzislaw Basara, representing the Metal Products Factory in Jawor, Boguslaw Sewerynski, representing the Ministry of Metallurgy and the Machine Building Industry, and Alred Restel, director of the Voivodship Branch of the National Bank of Poland.

Many of these statements were concerned with the economic reform program. Above all, it was noted that the economic reform program has not yet had an impact on the labor market. Even now 9,000 job vacancy announcements are submitted in this voivodship every month, and only a small percentage of these jobs are ever filled. This is because it used to be "profitable" to hire a relatively large number of workers. This heavy demand for labor is

also a product of high employee turnover. In commenting on the economic reform program another speaker noted that many plants are all too often still waiting around for instructions and directives to be issued from above. It was warned that the sharp decline in the costs of repair and maintenance work in industry may in a few years have an adverse impact on the condition of plant and equipment. It was emphasized that in the copper industry special consideration needs to be given--due to the large number of accidents which have occurred--to the problem of occupational health and safety. In reference to the plans which have been mapped out for the next few years demands were raised calling for, among other things, paying more attention to the needs of smaller towns which, as a rule, were overlooked in past years.

The plenum passed a resolution which also took into account the recommendations of the respective commissions of the PZPR Voivodship Committee and the suggestions which were made during the plenum's discussion period.

#### Reports Campaign in Party Echelons

Wroclaw GAZETA ROBOTNICZA in Polish 30 Dec 82 p 1

[Article by: (kz)]

[Text] A meeting of the Executive Board of the PZPR Voivodship Committee for Legnica was held yesterday under the chairmanship of Voivodship Committee first secretary, comrade Jerzy Wilk. The meeting was called in order to familiarize members of the Executive Board with the progress of the reports campaign in basic party organizations. It was underscored during the discussion period that the reports campaign has contributed in a significant way toward the activization of party life, especially at the basic party organization level. The organizational planning in preparation for these reports conferences and the way in which they were actually conducted, especially so in terms of the way in which their respective demands and recommendations were formulated, were praised by calling attention to the specific nature of these demands and recommendations. Most of these recommendations were addressed to the participants' own basic party organizations, intermediate party organizations, and certain plants and institutions. The general conclusion was that the reports campaign in the municipal and gmina committees represented another step forward in the process of the ideological and organizational consolidation of the party in our voivodship. It was pointed out that in the conduct of party business a high priority should be assigned to the implementation of the recommendations which were made during the reports conferences.

The rest of the meeting was devoted to a discussion of the work done by the Executive Board and its members during 1982 and the presentation of recommendations in this regard for the period which lies ahead. In keeping with its longstanding practice, the Executive Board assessed progress made toward the implementation of recommendations made at its last meeting.

The Executive Committee of the PZPR Voivodship Committee thanked all residents of Legnica Voivodship for their work during the past year and, at the same time, wished them further success during the new year of 1983 in their professional and public activities and all good fortune in their personal lives.

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CSO: 2600/316

'TRYBUNA LUDU' DEPUTY EDITOR INTERVIEWED IN SOVIET JOURNAL

Moscow ZHURNALIST in Russian No 12, Dec 82 pp 64-65

[Interview with Jerzy Kraszewski, deputy chief editor of the press organ of the PZPR Central Committee, the newspaper TRYBUNA LUDU by Leonid Chausov, ZHURNALIST correspondent; time and place not specified]

[Text] [Question] The Polish People's Republic long ago became a target of the propaganda aggression of the bourgeois mass information media. What methods are used by the bourgeois ideological diversion centers?

[Answer] Yes, precisely a target of propaganda aggression. Not only are the good traditions of the journalism profession whose mission is to bring peoples closer together being violated, but the sovereignty of our country is being trampled upon. The Western press is clearly violating international law and acting contrary to norms and principles of inter-state relations.

However, this is not a new phenomenon. Since the creation of "Radio Free Europe" Poland has literally been bombarded through the airwaves with bombs of anti-communism.

The propaganda diversionists' forms, methods, and tactics change in accordance with the situation, but their strategic goal remains the same: to undermine the socialist system and to pull Poland out of the socialist commonwealth.

[Question] This activity has become especially intense recently. . . .

[Answer] Soon after the events which occurred in our country in the summer of 1980 "Radio Free Europe" admitted: "Without the help of Western radio stations there would be no KOR, no Walesa, and no 'Solidarity' in Poland." I think that this is not only bragging. The radio station did in practice wager on those people who were supposed to serve as transmitters of counter-revolution in the Polish People's Republic.

I would like to recall in this connection the demand for the creation of so-called "free trade unions." They were made in August 1980 during the strikes in Gdansk, and then in Szezecin. Where did these claims come from? The conception of "free trade unions" penetrated Poland after a propaganda campaign which had been organized by the Paris journal KUL'TURA, "Radio Free Europe," BBC, and other Western "radio voices" as early as 1977. At that time in

Katowice and Gdansk the KOR created groups of several people--so-called "committees." They brought together a handful of political adventurers and renegades who were known for their anti-communist views. Western propaganda centers undertook to advertise their ideas. To the entire world and to Poland.

The actions that were undertaken at that time by anti-socialist elements did not receive support in our society. However, their initiators, like the "ideologists" from anti-communist centers in the West, did not calm down. The air continued to carry uninterrupted propaganda attacks on socialism, and direct instructions to anti-socialist elements could be heard.

With the formation of "Solidarity" the Western radio stations which broadcast in the Polish language almost became its official propagandists. For example, "Radio Free Europe" airs a special program entirely devoted to "Solidarity," advertises its activities, and transmits reports from its meetings and conferences. At the same time, the writers of the program abuse the PZPR, the government of the republic, and the entire socialist system.

The introduction of martial law on 13 December 1981 was a great shock for the Western anti-communist propaganda centers. For it was seriously believed in the West that socialism's days in Poland were numbered, and that it would be possible to tear our country out of the socialist commonwealth. For this reason the "reactions" were hysterical and nervous. Due to the fact that during the first weeks after the declaration of martial law Western correspondents who were accredited in Warsaw did not have--for entirely understandable reasons--connections with editorial boards and were not able to supply "information" for the programs of the subversive radio stations, the latter's broadcasts in the Polish language were based from beginning to end on invented "facts" and fabricated "events." Thus, in December of last year one of the radio stations transmitted the "report"--allegedly from Warsaw--that a "camp for several thousand arrestees" had been created at a stadium. Rantings? Of course, but aimed at exacerbating tensions.

Almost immediately after the introduction of martial law there was a sharp increase in the amount of broadcasts from all of the radio stations which transmitted to our country. Today seven Western radio stations broadcast to Poland almost 40 hours per day. "Radio Free Europe"--20 hours. "Voice of America" has increased its broadcast time from 2.5 to 7 hours. BBC--from three to four hours. The French radio's Polish language broadcasts have been revived. The content of the programs is coordinated, and propaganda methods are being unified. In principle, all of the Western stations have adopted the aggressive tone of "Radio Free Europe."

Direct instructions for the counter-revolutionary underground are transmitted in the air. Thus, it was spring when some "Solidarists" attempted to bring some confused young people out onto the streets. The Western radio stations named the collection places for the demonstrators, and it described the routes for the planned "marches."

[Question] In their propagandistic attacks against socialism bourgeois journalists frequently camouflage themselves with the slogan of "freedom of the press". . . .

[Answer] I have already said that certain Western correspondents who are accredited in Warsaw send their editors precise scenarios for the holding of meetings on streets and squares--right up to specifying the time the meetings begin.

True, some journalists say that all of this happens without their knowledge. Thus, in June the WASHINGTON POST correspondent M. Dobbs noted in an article which was also published by the newspaper INTERNATIONAL HERALD TRIBUNE that the unceremoniousness of "Radio Free Europe" has been creating certain "difficulties" for Western correspondents. "United States journalists in Warsaw," Dobbs wrote, "see their duty in providing reports from Poland, and not for Poland." He complained that sometimes their reports "are transmitted entirely for Poland by 'Radio Free Europe' and 'Voice of America'." And he went on to acknowledge that the materials of Western correspondents in Warsaw were not simply "information from Poland," but incendiary materials. Dobbs reported that the underground "Solidarity" activists do not hide the fact that one of their main purposes in distributing "information bulletins" to Western correspondents is for these bulletins to later be transmitted by radio for Polish listeners.

Here is another example. In August the American Associated Press, referring to an anonymous Western diplomat, wrote: "The biggest test which will show whether 'Solidarity' which has been removed from activity for the period of martial law will be able to organize a demonstration against the authorities will be on 31 August, the day of the second anniversary of the formation of the trade union." This is not a commentary, if you think about it, but an instruction!

Or take the West German magazine DER SPIEGEL. It treated its readers with information about "the victims of a clash between the demonstrators and the workers of the agencies of public order." This lie was unmasked; we printed material about it in TRYBUNA LUDU on 6 August. However, the German magazine did not publish the refutation, and Western correspondents in Warsaw also "did not notice anything." The English agency Reuters transmitted similar "information" from Warsaw about "victims." Again a lie, again slander. . . .

In August D. Darnton, the NEW YORK TIMES correspondent, transmitted from Warsaw--and his newspaper published it--slandorous material based on gossip about a group of oppositionists who had been isolated from society. D. Darnton was called into the Ministry of Foreign Affairs where a conversation was held with him and he was temporarily deprived of his accreditation. The United States State Department immediately "reacted," depriving the TRYBUNA LUDU correspondent in the United States W. Lodzimierz Lozinski of his accreditation. Our correspondent was forbidden to attend the press centers in the American capital, including the ones at the White House and the State Department. During



a conversation with the temporary charge d'affaires of the Polish People's Republic in the United States State Department representatives explained that the decision had been made in connection with the "Darnton affair," and that there were no complaints against the TRYBUNA LUDU correspondent.

[Question] What are the concrete tasks of our Polish colleagues in this situation?

[Answer] First of all, to explain to the public the reasons for the situation which has been created in the country, and the whole truth about and purposes of the anti-socialist elements. In the newspapers TRYBUNA LUDU, ZOLNIERZ WOLNOSCI, and others, and also on our radio and television materials have appeared which have been found in the "Solidarity" archives. A series of articles have been printed in TRYBUNA LUDU unmasking the extremists. The following materials have been published: "From the 'Solidarity' Archive," "Who Were They, And What Were They After?", "Scenario For a Counter-Revolution," and many others.

We are waging an open and sharp polemic against the bourgeois press, and showing the aim of its publications and how the propaganda war against socialist Poland is being waged. In many articles we emphasize that the events in Poland and the "psychological war" which has been unleashed against us are a component part of the global strategy of imperialism which is directed against the socialist commonwealth. Our press has convincingly proven that the anti-socialist forces were only able to develop their activities with support from outside.

However, for today one of our chief tasks is propaganda and explanatory work among that part of the population which submitted to the demagoguery of "Solidarity's" slogans. It is difficult and lengthy work. But the first positive results are already in evidence.

[Question] What is your opinion of the materials in the Soviet press treating the events in Poland?

[Answer] We have always felt the enormous support of our friends. This kind of feeling of fraternity is truly invaluable, and we have once again become aware of it.

The strongest friendship binds us to the Soviet correspondents who are accredited in Warsaw. They are frequent guests in the editorial offices of TRYBUNA LUDU and have an excellent understanding of the difficult situation. They have published and prepared for radio and television a great deal of material and many articles which reveal for the Soviet reader the difficult problems which have arisen for our country. They are all selfless, industrious, and highly qualified people. They have many friends in Poland. We are glad that we can always count upon them.

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# CONTINUITY OF ROMANIAN PRESENCE IN DACIA STRESSED

Bucharest MAGAZIN ISTORIC in Romanian Oct 82 pp 12-17

[Article by Mircea Musat]

[Text] The pseudoscientific theory of Dacia's being abandoned by its entire population in the first millenium finds followers among so-called historians who have argued with the truths of this science. In short, what are the arguments for the uninterrupted continuity of the Romanians in the heart of old Dacia, substantiated on a series of historical truths brought out by up-to-date scientific research?

The pseudoscientific theory of the Romanians' abandoning of the ancient land and then of their return to the native regions historically is relatively new. Except for the Hungarian chronicler Szamoskozy who asserted in the 17th century, following the union achieved by Mihai Viteazul, that Dacia was emptied by its inhabitants up until the end of the 18th century, the uninterrupted continuity of the Romanians in the home of their forefathers was not disputed by anybody. To what act was this attempt made in the 18th cenutry to mystify the origin and seniority of the Romanians?

Under the impulse of the grand act of union accomplished in 1600, the 17th and 18th centuries marked a striking increase in the awareness of national unity and, implicitly, political unity for the Romanians.\* The idea of combatting the uninterrupted continuity of the Romanians in their ancient home appeared due to the political considerations of the then rulers of Transylvania who feared that the Romanians would legitimately claim their national rights which had been stolen from them for centuries, as well as their social rights.

It is felt that the person who started these theories was Franz Joseph Sulzer, originally from Switzerland, a captain in the Habsburg army. In "The History of Transalpine Dacia " printed in 1781-1782 in Vienna, he maintained that the Romanian people were formed in the Balkan Peninsula, from where they crossed the Danube in the 12th-13th centuries. A contemporary of Sulzer's, Johann Engel (1770-1814), a worker at the Transylvanian court office in Vienna, also maintained that the Romanians' arrival on the present territory was produced in the 9th century.

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\* MAGAZIN ISTORIC No 5/1975, 5 and 8/1976 and 11-12/1978.

The "theory" found supporters in the last century, among which was the German geographer Robert Rosler who picked up Sulzer's thesis on just as unfounded and scientifically unargued criteria in his work entitled "Romanian Studies. Research on the Ancient History of the Romanians" published in Leipzig in 1871.

Historical documents of various categories, chronicles, epigraphic inscriptions, the results of archeological research and the facts themselves convincingly prove the historical inconsistency of this "theory," which, as evaluated by John Matley, an American historian, "cannot even be accepted even as a hypothesis." That same American author asserts: "If expansionist claims did not exist, with the appearance of historical justification, it is little likely that such a theory would ever have been concocted." Due to the lack of credit which Rosler's theory attained abroad, it also is significant that the big lexicons, including the German ones, do not mention it, just as they do not mention their author, either. Bringing back into discussion these mystifications with scientific pretensions could seem useless. Both because we do not have to prove to anybody the continuity or our seniority in the Romanian area, with the fact being enough that we are here, where we always have been, as well as because discussion about the so-called problem ended long ago with the all-comprising and well-founded studies published by a series of great Romanian historians, starting with B. P. Hasdeu, A. D. Xenopol, N. Iorga, V. Parvan, D. Onciul and so forth, as well as by great scholars abroad. Yet, if we still dwell on them we do so because the "theory" of immigration, in its neo-Roslerian version, still appears now and then, originating from the political calculations of some historians who are ignoring the objective truth or simply of some pseudohistorians. In particular it is being used by a number of western authors, including members of the Hungarian emigres for purposes which have nothing in common either with history or even with the controversies or polemics about the historical truth.

#### The Most Admirable Qualities

The Dacian-Roman confrontations of 101-102 and 105-106 were the main military event in Europe at the start of the 2d century A.D. As we know, despite the Dacians' bold opposition, the great confrontation ended with the victory of the Roman Empire and the transformation of a portion of Dacia into a Roman province. The Dacian state was abolished and its political and religious center together with the chain of fortresses protecting the Sarmizegetusa administration--destroyed. But the victory of the Roman Empire did not lead and could not have led to total extermination of the Getic-Dacian population, just as the Getic-Dacian civilization and culture, which had asserted themselves as among the most evolved in the Europe of that time, could not be annihilated. As the famous geographer Simion Mehedinti noted, "A nation of the dimensions of the Dacian one, spread out over such an extensive geographical area and protected by such a varied relief (both from the orographic viewpoint as well as covering of vegetation) could not be abolished. This catastrophic concept contradicts everything we know from the history of other nations."

Of course, the Roman conquest had negative repercussions for many areas of the natives' lives; yet, even under these conditions, the Getic-Dacian population on the territory of the new province succeeded for a time to preserve their distinct ethnic features and language, customs, occupations, religious practices. As A. D. Xenopol pointed out, "The existence of the Dacian people did not die completely; just the crown of the tree was chopped off; the trunk remained full of vigor, which the Roman element grafted, placing the foundation for that nation which today bears both the Dacian energy and inclination toward civilization inherited from the Romans."

The numerous Dacian settlements identified on the territory of the former province of Dacia, the ceramics made by the Dacians, the entire toponym and hydronymy--taken over from whom, if not from the Getic-Dacians left to live together with the Romans--are basic arguments for the Getic-Dacian continuity, refuting the assertion of the total extermination of the Getic-Dacians circulated previously as well as today by a number of foreign "authors."

Establishment of the Roman rule, along with the negative effects, primarily the free expression of the Getic-Dacian civilization, also had some positive effects seen in the introduction of new values in the material and spiritual area. At the same time, the influence of the Latin was carried out with some intensity on the territories of the free Dacians and actually in the entire Carpatho-Danube-Pontic area, bringing a complex process of the organic merging of the two cultures and civilizations from the joining together of which came the Romanian people, much more vigorous, inheritor of the most admirable qualities: bravery and the Dacians' desire for freedom and the pride of the Romans.

The internal crisis of the Roman Empire and the dangers which occurred at the borders caused Emperor Aurelian to adopt the well-known decision in 275 A.D. to move the borders of the empire to the Danube, using the administrative and military potential from Dacia in order to reestablish the two provinces of Moesia; together with the army and administration, the wealthy segments settled in the shelter of the new border. But the majority of the population--indestructibly linked with the land on which they worked and lived, where they had their settlements and modest wealth, where they felt safe, regardless of any occurrence--was left to confront the good and bad which the future had in store for them on their own area. Also, the great mass of population had no interest to follow their former oppressors and to continue a servile life, but rather they wished in the most natural way to reenter the ownership of the land and goods which they had created and which until then had belonged to the rich. No matter how scattered by the ravages of the invaders, this land was the native land, the only homeland for this population.

In 1787, the great English historian Edward Gibbon, a specialist in the history of the Roman Empire,\* maintained that following the withdrawal of Aurelian "a large portion of the inhabitants remained in the ancient country and they had greater fear of emigration than of the Goth dominator."

Analyzing the point of abandonment of the province of Dacia in a scientific spirit, Julius Jung, a professor at the German University of Prague, even 100 years ago reached the conclusion that Dacia could not have been abandoned in any case by such a large population. In his opinion, the Dacian-Romans remained overwhelmingly in Dacia. But even earlier, in the 17th and 18th centuries, the humanists and scholars of the enlightenment had expressed serious doubts about the "emptying" of the population of Dacia. Even if there was neither the vastness of historical and archaeological information in that period regarding the continuity of life in the area of Dacia, information which we have available today, the logic of the facts draws one to this conclusion. Istvan Losontzy, for example, the author of many school manuals for pupils in Hungary, concluded in one of his books published in Bratislava in 1771 that "the Aurelian empire moved from there (from Dacia) the Roman heroes to Moesia.

\* Edward Gibbon, "The History of the Decline and Fall of the Roman Empire," Minerva Publishers, 1976, translation by Dan Hurmuzescu.

The ones which remained there further in time became the Wallachians, who today too call themselves Romans." In turn, Stephanus Kaprinai, a "Jesuit, a doctor of sacred theology and historical theology of Hungary," as he liked to call himself, noted in 1767 in a biography dedicated to Matei Corvin that the "Romanians (who certainly are the inhabitants of the areas of Dacia, who are older than the Hungarians and Saxons)" took over various names of locations "from the Dacians, which they continued."

#### Linked With the Land On Which They Were Born

The Dacian-Roman ethnic and linguistic symbiosis continued to develop without interruption following the Aurelian withdrawal for nearly a half millennium throughout the Carpatho-Danube-Pontic area. The Romanian people with tenacity defended their existence and freedom on their permanent area of residence before all the migratory waves and, in particular, despite all the attacks they preserved their own civilization, slowly but continually rising toward more and more developed steps of social, political and military organization up to their independent assertion on the map of the European continent. The historical sources confirm that the Romanians' ethnogenesis is neither an "enigma" nor a "miracle," as often has been tendentiously asserted by some historians, but they became integrated into the normal process of formation of the Romance nations. There existed a substratum for the Romanians--just as for the French, Spanish, Portuguese and Italians (Dacian-Getic for the Romanians, Gauls for the French, Iberians for the Spanish and Portuguese, Etruscans and Italian peoples for the Italians), a colonizing element--the Romans (who gave the language--and an addition coming from the migrating populations--Germanic in western Europe and Slavs for the Romanians. For the Romanians as well as for the other Romance language nations, the stress falls on the first two elements, the native (preponderant) and the colonizing, with the third element (allogeneous) having a totally secondary nature.

A characteristic of the population which had remained in place is the unity of its culture. Throughout the entire territory of Dacia in the 4th century the elements of the same native culture were evident, the Dacian-Roman known as Sintana de Mures, after the name of the location where it was brought out for the first time. All through the 4th century one could find a steady homogenization of this native culture, whose structure becomes even more consistent in the following centuries, when three big cultural complexes are differentiated (Bratei in Transylvania, Cindești in Muntenia and Oltenia and Costisa-Botosana in Moldavia).

The common traditions are brought out everywhere, with the proportion of them varying depending on contacts with the Roman Empire which, in its new Byzantine cloak, emphasized its presence during this period in the Lower Danube. Archeological digs in Bratei, Morești, Cipau, Taga, Porumbeni Mari (in Transylvania), Botosana and Bodești (in Moldavia), Tirgisor and Budureasca (in Muntenia) offer sure and sufficient criteria for identifying a material culture which could only belong to the locals. Its founders primarily were occupied with agriculture and tending sheep, with handicrafts (working of metals, wood, pottery and knitting), also holding an important place--all of them together prefiguring the occupations of the Romanian peasant always, as Liviu Rebreanu found them in "Praise of the Romanian Peasant," a speech at the Romanian Academy: "Romania and the Dacia of old are congruent not only with regard to geographic configuration but also Romanian ethnographic configuration. Of course, this fact, this obvious proof should make the apostles think and even disarm those



concerned with the Romanian continuity. In our own country. What argument for continuity could be more plausible than the existence of the same people in the same places after 2000 years? It is precisely discontinuity which would be inexplicable. We have seen peoples moving to another country, we see people who have disappeared completely, but a nation which would disappear and disperse in order to reappear after many hundreds of years, exactly in the places which they had left, would be a miracle which could only occur in certain historical manuals with parables."

Linked with the land on which they were born, the Romanians found in this land the most sure shelter against any dangers. As noted in 1886 by the French historian Abdolonyme Ubicine, "The Romanians endured in the mountains, in the shelter from the stream of invasions. The barbarians had their paths well defined and the stages established before from the east to the west. If by accident they adventured toward the north, they would hit the Carpathians like an impassable barrier. These mountains were placed excellently for this defensive role due to a system of military posts organized by the Romans and forming an uninterrupted line of fortified points which stretched all along the crest, from the Iron Gates to the sources of the Nistru and Vistula. Time did not have the gift of diminishing the force or of weakening the hope of the Dacian-Romans. That same resistant, persevering race had remained so that it was considered undying: 'The Romanian does not perish' is a popular saying in all regions of Romania."

The process of Romanian ethnogenesis took place without interruption and upwardly despite the grave disturbances and destruction caused by the migrating Goths, Huns and Gepids who followed closely after one another through the Dacian-Roman home. At this time the Romanian people succeeded in hindering the break-up of territorial unity of Dacian-Roman life. The migrators ruled temporarily but they did not succeed in making any of the zones in which they had established their authority Goth, Hun or Gepid. On the contrary, this is the period in which the ethnic-linguistic and cultural homogenization of the inhabitants took place throughout the Carpatho-Danube-Pontic area. This process proved irreversible. When the native society, starting in the middle of the 6th century, had to confront the shock of the Avar, Bulgarian and Slavic migrations, it succeeded not only in successfully defending its existence but also in gradually assimilating the alien elements which had penetrated and become established on Romanian territory.

For example, the Slavs, the more they entered the northern Danube Roman area and the more time they spent here passed, they began to more and more powerfully accept the natives' influence at all levels: in culture, way of life, social organization, language and spirituality. Their assimilation above all was due to the superiority of the Dacian-Roman civilization to the one specific to the Slavs and then to the demographic factor and the fact that in all the areas where they became established they found a native, compact and dense population in proportion to which they always were in the minority. The third element is the fact that when they came (in the middle of the 6th century), the northern Danube ethnogenesis in its evolution had reached that degree of stability and homogeneity capable of ensuring their resistance and survival.

#### First-Hand Sources

The form of organization specific to the Romanians in the times following the Aurelian withdrawal was the territorial village community, an old Dacian tradition. The unions

of communities, the "popular Romans" as Nicolae Iorga called them, saw a rising development toward superior social-political forms which reflected the very features and imperatives of the ethnogenesis process of the Romanian people. Archeological research confirms that an uninterrupted line of life continued in a number of camps and settlements around them; even some Dacian fortifications (Odorheiul Secuiesc, Porumbeni Mici and so forth) were used to protect the population in times of ordeal. The general characteristic, however, was the open settlements, with the people fully using the natural shelters offered by the land, waters, valleys and forests.

The organization of defense against the repeated attacks of the invaders was one of the basic functions of the village communities and unions of communities throughout the period of migrations. The duty to participate in the struggles belonged to all community members capable of bearing arms and this duty was kept in the following eras up until the full Romanian middle ages as the foundation for raising the great army.

Starting in the 7th century, first-hand sources from various origins, written in various languages, often not having any connection with each other, speak not only of the Romanians' presence throughout the Carpatho-Danube-Pontic area but also of their feudal-type state organization. Relating events which occurred in 587, the Byzantine chronicles mention, for example, that a soldier from the units of the Byzantin general Commendiolus spoke to one of his comrades "in the language of the country" with the words "torna, torna, fratre."

A version of the work entitled "World Geography" by the great Armenian mathematician, astronomer and geographer Anania Sirakati from the 7th century (the author who used 15 different sources for his information) mentions the existence of the "balak" (Wallachian) Romanians in the region of the Carpathians and Danube. The existence of a "country of Romanians" in the 9th century is recorded in one of the oldest Turkish chronicles,\* OGUZNAME. We also read of the Romanians and the "country of Romanians" in the work by the Turkish historian Egulgazi Bahadir Han, entitled "Secera-i Turk" as well as in "The Armenian "Geography" by Moise Oboneanti, comprised between 855-902 and which mentions "a country called Balak" north of the land ruled by the Bulgarians, of course a "Romanian country."

Undoubtedly, this "country of Romanians" whose existence was noted by authors located hundreds and sometimes thousands of kilometers from each other had not been created overnight but was the result of the centuries-long organization of the Romanians. Archeological research confirms this process of state crystalization; thus, according to the archeologists' evaluation what is definitive for the 7th century is the native feudal political formation whose center was in Udesti, Suceava County.\* For the 8th and following centuries, the wood and earth fortress in Fundul Hertii,\* Botosani County, seems to have been the residence of a Romanian political formation.

In the middle ages, the evolution of the process of political organization on the territory of Romania--a process which has deep roots in the far-distant past--generally is at the same time as and similar in form and development with that of the other peoples of central and southeastern Europe. In the period mentioned (the 7th-11th centuries) under Samo (623-658) the Czechs attempted the first unification of

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\*MAGAZIN ISTORIC No 7/1985; 11/1977, 9/1978.



the smaller formations; the first prince of Great Moravia mentioned in the sources is Mojimir (830-846); the Poles see the first forms of organization in the second half of the 9th century, followed by the state of Mieszko I (960-992); also in this period the Serbian state is formed under Prince Vlastimir; the Bulgarians are established in a state in the 9th century, while the Kievians in the next century; the Hungarians settled between the Tisa and Danube at the end of the 9th and beginning of the 10th centuries are established as a feudal state only at the start of the 11th century.

The appearance of the "country of Romanians" in this same period (mentioned by Turkish and Armenian sources) thus does not represent an exception. What is essential is the fact that it is defined from the start as "Romanian," while its residents proudly claim belonging to the Romans. As the Hungarian historian Andras Huszti noted in 1791, "The descendants of the Gets live and work today where the parents did, they speak the language which their parents spoke long ago. No nation has a language as close to that old Roman (Latin) language as the language of the Wallachians; and this is a sure sign which cannot betray the fact that in Transylvania they are the descendants of the old Roman colonies. The name of these people in their own language is "Romanian."

#### Countries, Principalities, Voievodships

The political shadiness of the immigrationist theory was to show that in coming to this part of Europe the Hungarian tribes had found a place emptied of its population and, as such, was to legitimize its right to this land as the first occupants. But, in reality, as specifically historical arguments prove (chronicles, documents, archaeological discoveries) things occurred otherwise. Under pressure from other nations, the Hungarian tribes of Fino-Ugrian origin abandoned their territories along the middle course of the Volga and Kama, reaching the Lebedia or Levedia region at the beginning of the 9th century, located between the Dnepr and Don, where they entered under the domination of the kaganatul chazar [translation unknown]. Toward the end of that same century, pushed by the Petchenegs, they moved more toward the west up to the region of Atelkuz (Etelkoz) at the right bank of the Nistru. From here, reunited in a powerful tribal union under the leadership of Arpad, son of Almos, they headed toward the northwest and, crossing the Carpathians through the Vereczke pass, they penetrated the Pannonian plain. The Hungarian tribes of that time still were preserving the powerful features of the tribal order, while the main occupation they defined as seminomadic cattle raisers, also practicing a primitive agriculture. Under the influence of the European realities with which they came in contact, receptive to the civilization existing in Pannonia, they evolved toward sedentarism and state organization under Geza I (972-997) and, more important, under Stefan I (997-1038), when they also adopted Christianity.

The chronicles published shortly following the Hungarians' arrival in these zones signal the existence of some Romanian state organs of the voievodship types (ducats) on the territory of Transylvania at the end of the 9th and beginning of the 10th centuries, led by voievods (dukes). Commenting on the Hungarians' penetration into Transylvania, the anonymous notary (Anonymus) of King Bela pointed out in "Gesta Hungarorum" how the Hungarian armies conquered first the territory of such a voievodship situated toward the west up to the Tisa, to the north beyond Satu Mare, toward the east up to Piatra Craiului and Someș, to the southeast up to the gates of Mezes, southern Mures (thus corresponding to northwestern Transylvania) following some bitter battles, led by Menumorut (who, according to the chronicles, was under Byzantine suzerainty),

Full correspondence between the realities of the land and the tales of Anonymus also exists in the case of the second voievodship of central Transylvania led by a certain Romanian Gelu (quidam Blacus).

A third political organ was located in Banat between Orsova and Mures (A fluvio Morus unqus ad castrum Urschia), with its leader being Glad. Also in Banat, as we find out from the inscription on one of the vases from the treasury of Sinnicolaul Mare (today in the Vienna Art History Museum), existed another two political leaders, the boyars Voila and Vataul; unfortunately, we still cannot specify the territory upon which these leaders were exercising their authority and the future relations with Glad or his heir, Ahtum.

The Hungarians' penetration into Transylvania was made in 896 according to some authors. However, this hypothesis is excluded since at this date they were in Atelkuz. After they became established in Pannonia, the Hungarians first made frequent incursions into western Europe until toward the middle of the 10th century when, beaten on the Lech River in battles with the Germans (in 954) they no longer dared to attack the west.

Also false is the assertion from other works according to which the route of the Hungarian tribes passed through the eastern Carpathians and Transylvania. These works state that here they met an extremely rare population that could only be of Slavic origin. The unscientific nature of this assertion is clear. Sources prove that the road of the Hungarian tribes passed through the wooded Carpathians, but when they began their expansion toward Transylvania, coming from the west, here existed the Romanian political formations mentioned above, to which are added numerous others (Tara Birsei, Tara Fagarasului, Tara Amlasului, Tara Hategului, Tara Maramuresului and so forth) not mentioned by the "Chronicle of the Anonymous Notary" (since the Hungarians had not yet come into contact with them).

Regarding the inhabitants of the political formations mentioned by Anonymus or mentioned above, A. de Gerando, a French historian, pointed out even a century ago that "the Romanians in Transylvania are the oldest inhabitants of the land. They were living in the country and had a principality while the Hungarians were extending their rule over the mountains in old Dacia." Archeological research has localized the fortresses of Biharia, Satu Mare, Zalau, Cuvin, Orsova, Pescari, centers of Menumorut and Glad. Two voievod fortresses were discovered in Dabica and Cluj-Manastur--centers of the voievodship of Gelu; Alba Iulia also proved to be the central of an important voievodships.\*

Also, many other chronicles from the 12th-14th centuries (Simon de Keza, Henric de Megeln, "Chronicon Monacense," "Chronicon Posoniense," "Legenda Sancti Gerhardi") prove both the political formations listed above as well as the Romanian population from here, known as Vlahi, Blasi, Blaci, Blachi, Volohi, Balak, Walachen, Olah.

Together with the process of development of the first Romanian voievodships, the Carpathian-Danube-Pontic area was marked by late migrations: Petchenegs, Uzi, Cumans. A wide-reaching phenomenon, these migrations occurred at a time in which southeastern European relations were worsening, particularly the rivalry between the Byzantine Empire and the Bulgarian state.

\* MAGAZIN ISTORIC No 9/1981; 4/1979.

Also mentioned besides these, in various documents, are archeological certificates, actions taken by Romanian voievods and dukes to preserve their own identity. At this time, the documents mention under various names (Wallachia, Vlahia Mare, Vlahia Mica, Vlahia de Sus) the Romanians' political organizations south of the Danube, too.

On the territory of Dobrogea, the inscription from Mircea Voda in 943 shows the existence of political organs led by the boyars Dimitrie and Gheorghe, with the former carrying out battles with the Byzantines. That same process also was taking place in the Romanian area between the Carpathians and Danube as well as in the Carpathian-Nistrian area.

Despite the Hungarian infiltration, the Romanian state formations are proven in the 11th century in Transylvania, also. The center for such formations was found in Moldovenesti (Cluj County) and Orlat (Sibiu County). The existence of Romanians in the Carpathian arc also is recorded in "Podoaba Istoriilor" written by the Persian Gardizi between 1049 and 1053. Finally, the next century was to record the appearance of the powerful state of the Vlachs and Bulgarians led by the Asanesti brothers,\* an important factor in the political life in the southeastern part of the continent.

The archeological discoveries made on the territory of our country, nearly 1,500 settlements, fortresses, villages and cemeteries of the Dacian-Roman and Romanian population of the 4th-11th centuries refutes on scientific bases any acrobatics of some of the so-called historians who, having quarreled with truth and objectivity, take the Romanians "for a walk" all through this period through the Balkans, following the sheep flocks. The vacuum invoked by them--for feuds of the peoples--is refuted at every step of the way by the existence of a society solidly comprised of people of the land, the Romanian people who, assimilating certain migrating populations, organized their economic, social and political life, struggling bravely for centuries to defend their existence, their language, their forefathers' homeland, asserting themselves as a factor of stability, progress, cooperation, peace and civilization in the southeastern European area.

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\* MAGAZIN ISTORIC No 1-2/1981

## 'SCANDALOUS' ACTIVITIES OF PASTOR WURMBRAND EXPOSED

Bucharest SCINTEIA TINERETULUI in Romanian 25 Dec 82 p 4

[Article by Mihai Milca: "The Pitiful Masquerade of 'Revolution Through Religion'"]

[Text] Within the strategy of total "political warfare," conducted against socialism, against the progressive, peace-loving forces, by the reactionary, imperialistic circles in the West, the appeal to the techniques of subversion and provocation, to the techniques of ideological intoxication and "psychological warfare," has become a current practice. In the view of the organizers of the propaganda campaigns that direct their blade against the socialist countries, against communism, against the revolutionary conception of the world and society, any such means are welcome, no matter how questionable and reprehensible they may be from a moral viewpoint. It is thus made evident, once again, if there was still a need, that between the means and ends of propaganda there is not an accidental connection, and the Machiavellian adage according to which "The end justifies the means" is far from having an absolute value of truth. Reprovable means can disqualify or even discredit an end. However, under the conditions in which the end itself is questionable or reprehensible from a moral viewpoint, the appeal to certain means is inevitable, and their manipulative and alienating potential comes to light even more strikingly.

The messages of the propaganda of the reactionary circles in the West exhibit the most diverse contents: political, ideological, cultural, religious and so on. In their turn, however, these contents present the most diverse packages and labels. Old propagandistic ideas and themes, some of them even discredited in the past, are retouched and "reconditioned," are updated and reintroduced into a new ideological circuit.

Consequently, the language of such propaganda should not deceive us at all. The propagandistic offensive of religious sects appearing in recent times, like mushrooms after rain, in the Western Hemisphere thus fit, unequivocally, into the logic of the strategy of total "political warfare" of which we spoke earlier.

Religious propaganda is not an end in itself. It has just a value of interference, evidences a political background, is aimed at precise targets. The parading of religious fictions, the recovery of the meanings of real social and political events and situations from a unilateral and biased viewpoint, the undisguised appeal to instincts and prejudices, the encouragement of stereotypes and grudges, the stimulation of friction and dissension at the level of the listener, the exacerbation of and artificial speculation in difficulties and dissatisfactions, the nourishing of

pernicious illusions--all these have as an express purpose not the propagation or strengthening of religion but the division and manipulation of those who are exposed to such propaganda.

On closer analysis, the protagonists of such religious propaganda turn out to be just the pawns whom certain departments and hotbeds of espionage and diversion urge forward, maneuvering them in order to achieve precisely determined political ends and objectives.

The hostile activity against our country by Richard Wurmbrand, the "founder" of the subversive reactionary organizations "Jesus for the Communist World" and "the Church of Silence," constitutes a graphic example in this regard.

In reality, however, who is this R. W., who decreed himself the "living martyr" and "Saint Paul of the Iron Curtain"?

In fact, what lies behind his religious undertaking? What is the meaning and the hidden motive of the virulent religious propaganda that R. W. spreads particularly through printed works that he signs with his name or various pseudonyms? These are only a few questions that require a demystifying answer.

In a pamphlet with a red cover, titled, neither more nor less, "Why Am I a Revolutionary?" R. W. gives proof of colossal insolence, of a total lack of scruples, posing--on the basis of a dishonest substitution of meaning--as a "revolutionary" *sui generis*. Why this whole masquerade with a pretension of a propagandistic strategem? Because the idea of revolution is the order of the day, because, in R. W.'s opinion, "revolution is necessary" in today's world, because in the contemporary era reference to the revolutionary phenomenon is becoming a condition for audience, at least at the level of categories of public unreceptive to a certain kind of religious message.

Trying to accredit the idea that a "traumatism," a "frustration," an "aversion complex for all that is religious" would lie at the origin of the revolutionary attitude and behavior, R. W. seeks in fact to discredit the true meaning of the revolutionary spirit, the progressive role of social revolutions in mankind's history. R. W. argues for another meaning of the term "revolution": "We want a society radically transformed into a kingdom of God, in which justice will dwell, which understands and puts into practice what the Word of God says: God is love." But "a cure-all must not be made of this word 'love'." And our "author" wonders, later on, if "there is any guarantee that while the Western young people devote themselves to love, the communists will not impose their dictatorship on us?" This irrational anticommunist outburst is, we believe, as indicative as can be of R. W.'s way of thinking. And in order to keep abreast of the times, R. W. even tries to furnish an explanation--in fact a pseudoexplanation that is intended to be "psychoanalytic"--of the impasse that the acceptance of the legitimacy of the revolutionary spirit would presuppose. "Just as there is a subconscious that incites you to be a revolutionary, terrorist or agitator, there is also a /superconscious/ in boldface, the call of God, the Creator of the universe, your Creator."

It is only a step from this to abandoning any interest (in fact, purely rhetorical) in what it means to be a revolutionary in our era. The plunge into the kingdom of God thus comes as a "natural" conclusion of R. W.'s demonstration: "We await the

return of Jesus Christ, which He promised. Then there will be on earth the kingdom of God, the kingdom of justice, truth and love."

Of course, these "Christian reflections" appear in a totally different light if we relate them to the biographical and "spiritual" path of their "author."

R. W. was born in Romania in 1909, to a petit-bourgeois family. On his own admission: "In my childhood," R. W. states, "I rejected any religious education. At 14 years of age, I was as resolute an atheist as a communist of today." During the '20's, R. W. worked as a clerk in various private firms and began to frequent the leftwing circles, for which reason he was arrested by the Romanian political police. However, he betrayed his comrades and agreed to become an informer and agent provocateur of the political police, contributing to the arrest of over 40 progressive, democratic militants. In a work appearing a few years ago in Tel Aviv, Beno Baruch states, on the basis of documents and accounts of persons who knew R. W., how this "Saint Paul" became in fact a "Judas Iscariot," exercising his "pastoral attributes" as an informer within the progressive and democratic organizations of the leftwing in Banat. During the '30's, R. W. operated unashamedly as a paid informer-agent of the political police, receiving the monthly sum of 4,000 lei from political police commissioners Turcu and Rimnitanu.

His religious conversion also dates from this period, with R. W. eventually becoming a Lutheran pastor. A bitter foe of the working class, R. W. was, after 23 August 1944, tried and sentenced to 20 years in prison. Released from prison in 1964, he emigrated to the United States shortly afterward, where he devoted himself to dishonest activities, which he whitewashed into activities with a religious character, founding "the Church of Silence" and also publishing various works that were intended to be "religious propaganda." A deplorable political adventurer, an extremely dangerous individual, with unlimited chameleonic reserves, a person lacking any moral and political attachment to the causes that he has embraced by turns, R. W. represents a typical case of a turncoat and traitor to one's country. A visceral anticommunist, disposed to sell his services to anyone who pays "big money," R. W. does not hide the fact that for him religion is a business, an instrument for attaining very unsavory ends, and declares with outrageous cynicism: "Anglicanism, the Baptist faith, Evangelicalism and so on are for me only some tools that I use today and throw away tomorrow."

Regarding R. W.'s "ideology," the "metaphysical," "theoretical bases" of the conception of the founder of "the Church of Silence," we feel that they require a separate examination, which, however, we will submit to the attention of the readers in one of our future articles.

12105  
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## REAL MEANING OF 'FREEDOM OF RELIGION' STRESSED

Bucharest SCINTEIA TINERETULUI in Romanian 25 Dec 82 p 4

[Unattributed article: "Freedom of Religion Does Not Mean Freedom To Defy the Laws of the Country"]

[Text] The Process of Darkness

If you were to believe what some Western viper's nests write and say, in our country freedom of religion, otherwise laid down in the constitution, would be, in practice, purely and simply an empty phrase. Moreover, according to the adage "We say one thing and do another," it would virtually not exist except in theory, since in fact, alas!, the poor believers would suffer worse from persecutions, obstructions and vendettas than the first Christian martyrs, if not worse yet, because they, from the other world, of course, would not feel inferior to those whose remote, minute possibility of preserving and practicing their religion we would have stolen (allegedly).

And as the rigor of the profession obliges us to not conform to the precept "Lie like a newspaper" or, as it were, like a radio station (we know which), come, dear readers, let us try together to see who these "neomartyrs" of religion are, why and wherefore they are troubled by distressing and grievous crises, who is making their day black with so much persecution and their night white with sleeplessness on the altar of "freedom of religion," and why.

Let us thus refer concretely to a quite recent case that, even if it has not yet received the attention of the specialized circles in the West--but, you see, it is not the past tense yet!--represents a typical example along this line of thinking. Of course, not before offering (according to protocol!) the due apologies to the respective publications and transmitting stations for having allowed ourselves--indeed, without their tutelary advice--to deal with this, we hope, revealing case before them. So, what is the story?

In the summer of this year, a number of young people, of various professions and addresses, received some apparently quite normal letters. They were, then, young people, were acquainted and acknowledged that they belonged to the same cult, allowed by the laws of the state, so that there was no reason for the invitation to an outing to the Apuseni Mountains--more precisely, to the Scarisoara and Ursilor caves--to amaze them. They were also asked to take food and sleeping bags on the trip. Consequently, a perfectly normal outing. Certainly, anyone who absolutely wants to be picky will ask if this projected outing was organized by the BTT [Bureau of



Tourism for Young People/ or the ONT /National Office for Tourism/. We answer "no" from the outset, but we reserve the right to feel that any such youthful (since the guests were young people) and Spartan (let us call it so for the time being!) initiative must also have a purpose. And indeed it did. But, let us not anticipate.

It is very true that many of the addressees received somewhat cautiously the invitation that ended with some verses about nature by Thomson Main, but also with the express instruction to destroy the envelope and letter. Almost all made excuses in one way or another, declining the offer, otherwise tempting, although, honestly speaking, the idea seemed civilized to them in any case since the route was indicated in detail to each of them, so that the possibility of getting lost in the mountains was at least excluded from the outset.

Who was the host, however, and what exactly did he intend? He is named Mircea Tudorache, is 28 years old, is an electrician and lives with his parents and another seven siblings of his in Bucharest. The proposed purpose of this unusual outing was, on his own admission: "This activity had evangelization as a purpose."

However, what explains things fully is the fact that by "evangelization" M. T. did not pursue the performance of a cultic ritual, permitted and respected by the laws of our state. Under the influence of the systematic indoctrination practiced by certain circles through mass-media methods abroad, he planned to convince his guests to form a subversive organization, on the model of those existing in the West. For precisely this reason, he wanted the "evangelization" to necessarily take place there, in the mountains!

However, the "prophet" in the making distorts things in the manner of his mentors abroad: "The undersigned," he states unashamedly, "feels that in our country the religious rights and freedoms /are not complete/ */in italics/* (our italics), since we cannot assemble, organize and pray or preach the gospel (we respect ad litteram the author's writing--our note) /where we want/ */in italics/* (our italics), on the street, in a field, in any house and so on." Nor did the fact that, as M. T. admits eventually under his own signature, for this meeting he did not have any approval from the leadership of the cult, which exists legally, represent for him an obstacle to asserting that "outsiders try to constrain us." Does he mean by these "outsiders" the cult's leadership itself, which speaks out clearly and bluntly against such attitudes and practices that flagrantly, essentially contravene the rules of conduct of this cult, which recognizes and respects the laws of our state?

Another question can also be raised: Was pressure indeed put on M. T. and his "fans" and were abuses committed. On the cult's part, just disapproval for such manifestations. Is there still need for comment?

And so that the picture may be complete, let us also note the fact that the "group" had taken as its mentor a certain Gheorghe Stan from Aiud, a person of over 40 years of age and now without a job, who proclaims for himself, with hollow solemnity and impudence, the role of a prophet of God.

Let us also see, however, who were those who went along with such a foolish action. Besides Mircea, we also find on this list his siblings Cornel and Liliana, husband and wife Mihai and Gabriela Dimboi and locksmith Matei Cioara. All persons who are,

however, so-so in work and life. That is, patent second-raters, who used the advantages of society as much as they could but who, when they have to give something back to it and have to respond to its just and legitimate rigors of conduct, suddenly remember its "freedom of religion" and claim to be, You see, God!, persecuted.

Failing in their action, in fact an attempt to flagrantly violate the laws of the state, what is Mircea Tudorache doing and what honor is his family showing? It wants to leave the country for good. The motive: "The (spiritual!!!) reunification of the (religious--our note) family." The cause: "Persecution for religion."

/Regarding the much trumpeted tale of "abusive violation of the freedom of religion," we would like to make a single statement to M. T., his family and even their protectors in the darkness: In our country the freedom of religion is legally guaranteed, but no law can guarantee the "freedom" of the flagrant and gross abuse of undermining your country, your nation, your order that the people themselves, free and sovereign, have chosen/ *in italics*/.

In the remainder, what else can we say? Just that the reactionary viper's nests that also "indoctrinated" our "heroes" have nothing to do but continually fabricate cock-and-bull stories for those weak of will, mind and character. Justice can only be on the side of truth.

12105

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## SERBIA'S GALOVIC VIEWS MANIFESTATIONS OF NATIONALISM

Belgrade NEDELJNE INFORMATIVNE NOVINE in Serbo-Croatian No 1670, 2 Jan 83  
pp 18-20

[Article by Spiro Galovic: "The Interest of the Working Class and the Interest of the Nationality"]

[Text] If we want the criticism of social and economic conditions today to be truly productive, then we must endeavor to make it something more than mere negative definition. After all, when it does not rise above the level of mere rhetoric, more or less emotionally colored, it does more to cloud over than to elucidate the problem. Our dissatisfaction with the situation that has come about is expressed too much in rhetorical terms and too little in analytical terms. I am persuaded that criticism of centrifugal tendencies in our society is itself quite often defective and sometimes is even ideologically foreign to the policy of the LCY because it loses sight of an important dimension of our community--its federal system and its multinational character. Whenever criticism passes over this lightly, even against its will, it approaches that voluntarism which has in past history, even in our own experience, already shattered to pieces against the reality of the nationalities.

Instead of a real facing of the living problems of the times, we occasionally have something which might be referred to as a sterile dispute between unitarianism and a false antiunitarianism (in a piece written in 1970 Milentije Popovic used the phrase "antiunitarianism as a global slogan" to denote that political tendency which is disguising its separatistic and nationalistic purport with socialist rhetoric.) The lineup of forces in the framework of this old confrontation, which even today accompanies our socialist development, has now undergone considerable alteration. Unitarianism is deeply rooted in the past and in a longing to restore the past, and perhaps still more in a dogmatic conception of socialism, while its opponent is deeply rooted in the present, in the real relations whose principal characteristics are economic autarky and isolation in all respects. The framework of this empty dispute also embraces those debates which in touching upon the question of Yugoslavia's continuity in one way or another do not rise above commonplace disputation over what is primary--Yugoslavia or its federal units. What is envisaged here?

The revolution revived the value of the idea of Yugoslavia and gave it a new revolutionary and liberative content. Both Yugoslavia and the parts which make it up were born in the same act of the revolution. Yugoslavia is neither a mere agreement among the republics, nor is it something which negates them. To think otherwise signifies departure from what Tito said on many occasions, emphasizing that none of our republics could survive outside Yugoslavia. And, of course, Yugoslavia can survive only in the form of socialist self-management, as a community of equal nationalities and ethnic minorities, as the antithesis of all statism. When we talk about agreement, then, it must be seen that Yugoslavia is at the same time the result and the precondition of that agreement. This is that social and historical framework without which the republics cannot exist as socialist communities and cannot have their identity as states.

It is being said, virtually without interruption, that what we have now is neither a federation nor a good confederation and that is why it cannot function as it should. However, the real problem lies elsewhere--in the fact that the social reality we are part of is not as socialist as it should and could be.

It is true that relations among the nationalities in Yugoslavia have in many respects been reduced to intergovernmental relations, that the socialist and democratic dimension of those relations has thus been pushed into the background. Statism has not been overcome as a social relation. As has been said many times, the former statism of the center has been replaced by the statism of the republics and provinces.

The freedoms of the nationalities are a part of the general democratic freedoms and rights which socialism cannot stifle if it truly wishes to be socialism. Establishment of states on an ethnic basis (consisting of one or more nationalities) follows from this basic view. Whenever this right is reduced to something purely formal and symbolic, it is a question of the hegemonism of the big state treating the states of the nationalities as mere branches of the central government. But that kind of restriction of the rights of the nationalities is only a part of the broader displacement of democratic freedoms and rights. The lack of freedom and restrictions in the ethnic domain are always indicative of a broader regression, a blockade of the liberative processes in a given society.

The essential thing concerning the relations among the nationality, the state and self-management has been stated in the constitution and LCY Program, in the documents of congresses and in scholarly papers on this topic. Nevertheless, in actual relations we do not manage to achieve a dialectical resolution of the opposites concealed here, a solution that would have to be the socialist negation of statism and full affirmation of ethnic freedoms at the same time.

Statism has held back the processes of self-management integration in Yugoslavia at large and has thus slowed down development of society's productive forces. Instead of manifold linkage in the economy and overall social life, the actual process has been one of rounding out the economies of the republics

and provinces, a process that is regressive compared to the prerequisites of economic development which capitalism had already achieved. That line of development is not in agreement with the interests of the working class, nor, though many would not agree, is it in agreement with the interests of the nationalities either. The strata of producers and workers today comprise the larger share of every nationality, and its interests ought to be the basic determinant of the interests of the nationality. So that it is not clear what is meant when people sometimes talk about an opposition of class interests and ethnic interests in our society today. Why does assertion of the class interest encounter certain reactions of rejection, as though this canceled out the interests of the nationality? The statist conception of the interests of the nationality is certainly opposed to the class interests. But in that case we are not talking about the interest of the nationality, but of someone speaking in the name of the interest of the nationality, just as in centralistic systems based on the supposed primacy of the class interest it is a question of someone speaking in the name of the class interest.

The basic question is for the working class to take over the nationality, to impose its own interests as the dominant interests of the nationality. Only in this way can we see new prospects for development of interethnic relations in Yugoslavia. Certain tensions which are reviving today in Yugoslavia seem to bear witness precisely to the incompleteness of that process, which, originating in decentralization and the strengthened independence of the republics, ought to initiate democratic transformations within every nationality, every republic and province, and then become stronger on foundations different from those previous ones, without weakening Yugoslav unity. This process it seems has been halted halfway or, to put it mildly, has been greatly slowed down and protracted.

It seems to us today that nationalism is on the rise everywhere. Almost every day it is manifested in our public life, over a broad range from the economy and culture to sports. The crisis is no doubt having an effect, and everything that seemed to us a marginal tendency is shown in a somewhat different light under these circumstances. Taken back a bit, we are inclined to compare conditions now with those 10 years ago. It is not, of course, a question of complete coincidence, but one cannot doubt that there are certain similarities.

However, whoever compares conditions today with those in the seventies and finds similarities in the awakening of nationalism must also seek certain deeper similarities. They lie above all in the standstill of our development, in the absence of a clear program of socialist changes, and in the resulting sources of conflict which last longer than they should. At the center of these social conflicts is that same problem which 10 years ago brought about the well-known political and social tensions. That is, Yugoslav society is once again facing the old temptations in a somewhat different way.

Statism has once again blocked the development of self-management. To the inevitable economic difficulties externally conditioned, it has added its own sizable contribution, pushing aside economic logic in all domains of life. There is quite a bit of information about this development--the unity of the

market has been jeopardized, and there has been a return to bartering in one form or another, the governmental character of investment policy has become stronger instead of weaker, and it is no accident when an investment project proves to be mistaken, but rather this is an inevitable feature of a particular type of relationship in the domain of reproduction, and so on.

Following adoption of the constitution, following the Law on Associated Labor, after the big words in general, there was a standstill in practical action. Real social processes went in another direction--not toward association in the economic space of Yugoslavia, but toward exclusiveness within the boundaries of the republics and provinces. This line of movement--if it was an inevitable part of our long-term exploration for those solutions which incorporate the freedom of the nationality and the liberation of labor--has now probably exhausted itself in objective terms. Social consciousness and the consciousness of the party member are recording this fact a bit tardily. Which accounts for the strong resistance to changes even on the part of those who ideologically discredit any demand for reform as a concealed intention to carry out a revision of the basic points of the system. As though we had built up relations which are in conformity with the system! And that is the point--we need to return to the essential definitions of the system which in actuality we have abandoned.

If we do not succeed in this, a certain inertia could bring the pendulum back again toward federal statism and centralization. I say that this would be by inertia, which means that it would occur in the form of an entire series of imposed measures, the justifiability of each of which would be difficult to dispute at the given moment. Conservative solutions usually come in the form of spontaneity, but one of the things their penetration into social relations always reveals is that action has not been forthcoming on the part of the progressive forces of society, that they have failed in finding answers to the demands of the time.

A way out of this vicious circle of the statist orientation of the economy and social life can be found only through the necessary reforms, which will effectively affirm the original commitments of the League of Communists and will strengthen the self-management course of development. There has been talk about this for a long time now, but little has been achieved as yet. The research necessary for preparation of reforms in the economic system began to be organized on a broader social base only with the Stabilization Commission. Certain knowledge arrived at in that effort has been slow to penetrate, and hardly anything is being said at present about the solutions and reforms which have been achieved and adopted.

Why is this so? The road to solutions has been slow because of their objective complexity, but that is not the only reason; a comprehensive and frank debate was for a time pushed aside, and the League of Communists took a highly intolerant attitude toward it; that was a time of consolidation not only for statist tendencies, but also for their ideology. In the processes of the strengthening of statism in past years the League of Communists itself gradually had given up that important critical position, linking itself to governmental powers at all levels of social organization by the internal logic of that development.



The pragmatism of the League of Communists today, the orientation of its attention toward the daily pattern of conditions, the lack of research efforts within its own ranks, in a way is an expression of that merger of the League of Communists with government power and that loss of its critical position.

The revival of nationalism today--and indeed its drastic manifestation in Kosovo--is in no small part the product of that kind of turn of events in the development of society, of the bureaucratization of social relations. Nationalism must be fiercely spoken against everywhere--both in Belgrade and elsewhere. But will that be sufficient? The responsibility of society's progressive forces cannot be reduced to the ideological, or still more narrowly, to purely political suppression of some conservative tendency, whatever it may be, including nationalism. The criticism of nationalism which is not at the same time a criticism of statism (bureaucracy) is more pretense than real. We dare not underestimate the nationalism of the priests and petit bourgeois intellectuals, the nationalism of the coffeehouse or any other nationalism. But most dangerous of all is that which persists not far from the center of social power, assuming the role of a supposed defender of the interests of the nationalities, which is a nationalism that renews itself as a product of a certain type of social relations.

What is referred to as economic nationalism is not merely economic--it creates the conditions for the spread of nationalism from its banked up embers into many spheres of social life, but all of this is only the other side of those social developments which are displacing the working class even from those positions which it had already taken in social decisionmaking and reduces the institutions of socialist democracy to mere forms.

Quite recent development has demonstrated that statist social relations and the bureaucracy related to it are threatening the policy of equality regardless of the level at which they establish themselves. Antiunitarianism toward the Federation often reveals itself to be problematical precisely in the fact that within boundaries at the lower level--in the republic and province--it takes the form of unitarianism, or, to put it mildly, of an indifference toward that spontaneity of social life which is in and of itself threatening the relations of equality. The bureaucratization of society is always manifested in certain characteristic rivalries, alliances and disputes which waste a great deal of energy in a blind alley.

Instead of a real struggle against nationalism we at times are dealing with a mere mutual fanning of the flames of nationalism, since from that standpoint nationalism is mainly seen as the nationalism of others.

The pooling of labor and capital and strengthening of the unity of the working class will not be achieved in and of themselves. They will require a much more offensive and critical League of Communists, one which will not take its focus off the deeper causes of the present situation. Discussion within the League of Communists, including the discussion in its forums and organs, is now responding to that demand, and in spite of all the contradictions is leading toward unity as to the essential aspects of the future development of social relations and a socialist democracy which successfully joins together the class aspect and the ethnic aspect.



LAW ON RESOLVING LEGAL CONFLICTS WITH OTHER COUNTRIES

Belgrade SLUZBENI LIST SFRJ No 43 in Serbo-Croatian 23 Jul 82 pp 1068-1079

[Law on Resolving Conflicts in Legal Matters which Involve the Regulations of Other Countries, effective 1 Jan, 1983]

[Text]

Chapter 1 - Basic Regulations

Article 1

This law consists of rules for determining who has legal authority in matters concerning a person's status, in domestic affairs, and in property and financial matters when more than one country is involved.

This law also contains rules for establishing the authority of courts and other organs of the Socialist Federal Republic of Yugoslavia (SPRY) when dealing with those matters listed in paragraph 1 of this article, including rules of procedure and rules for acknowledging and executing foreign legal and arbitrational decisions.

Article 2

If no rule in this law is given for determining the legal authority in any given matter as defined in article 1, paragraph 1 of this law, the appropriate rules and principles of this law, the principles of the SFRY legal system, and the principles of international, private law shall apply.

Article 3

Regulations in this law do not apply to matters listed in article 1 of this law if they are regulated by another federal law or by international agreements.

Article 4

A law of a foreign government shall not be used if its effect would be to violate the Constitution of the SFRY, as established by the principles of social order.

#### Article 5

A law of a foreign government which might have jurisdiction over this or any other federal law shall not be used if the purpose of its application is to avoid the laws of the SFRY.

#### Article 6

If the regulations of this law require that a law of a foreign country be used, its rules for determining who has legal authority in a given matter shall be taken into consideration.

If the rules of a foreign government for determining who has legal authority refer back to the law of the SFRY, then the law of the SFRY shall be used, disregarding its rules for determining legal authority.

#### Article 7

If not otherwise determined by this or any otehr federal law, a legal matter or a legal action shall be considered valid if it is considered valid either according to the law of the place where the legal matter was conducted or the legal action taken, or according to the legal authority which governs the substance of the legal matter or the legal action.

#### Article 8

In matters regarding the statute of limitations, the law which governs the substance of the legal matter or the legal action has precedence.

#### Article 9

The law of a foreign country shall be used in a manner which is consistent with the meaning and the concepts which comprise that law.

#### Article 10

If legal authority in a particular matter belongs to a country whose legal system is not uniform, and if the rules of this law do not indicate a specific legal jurisdiction in that country, then legal authority is determined according to the rules of that legal system.

If legal authority in a particular matter belongs to a country whose legal system is not uniform and if the legal authority cannot be established in the manner referred to in paragraph 1 of this article, legal authority shall belong to the jurisdiction in that country with whom the closest ties exist.

#### Article 11

If a person who is a citizen of the SFRY is also a citizen of another country, for the purposes of this law he shall be considered to be a citizen only of the SFRY.

If a person who is not a citizen of the SFRY is a citizen of two or more foreign countries, this law shall consider him to be a citizen of the country in which he is a citizen and in which he is domiciled.

If the person referred to in paragraph 2 of this article is not domiciled in either of the countries in which he is a citizen, this law shall consider him to be a citizen of that country in which he is a citizen and with which he maintains the closest ties.

#### Article 12

If a person has no citizenship, or if his citizenship cannot be determined, legal authority shall be determined according to his domicile.

If the person referred to in paragraph 1 of this article has no domicile or if it cannot be determined, legal authority shall be determined according to his present residence.

If the current residence of the person referred to in paragraph 1 of this article cannot be determined, then legal authority belongs to the SFRY.

#### Article 13

A court or other competent organ will determine the content of foreign legal authority as a part of its official duty.

The organ referred to in paragraph 1 of this article may request information concerning foreign law from a federal organ of the department authorized for the administration of justice.

Parties involved in legal proceedings may also submit public documentation concerning the content of foreign law.

### Chapter 2 - Legal Authority

#### Article 14

In order to determine the legal and functional competence of an adult person, the country in which he is a citizen has legal authority.

An adult person who might be considered functionally incompetent according to the law of the country in which he is a citizen will be considered competent if he is so considered according to the law of the place where the liability occurred.

In order to deprive one of, or to limit the functional competence of an adult person, the legal authority is determined according to paragraph 1 of this article.

The regulation defined in paragraph 2 of this article does not apply to domestic matters or to matters of inheritance.

#### Article 15

In order to place one person under the guardianship of another and to terminate this relationship, as well as to govern relations between the guardian and the person who is under his or her guardianship, (the ward), legal authority belongs to the country of citizenship of the person who is under guardianship.

Temporary protective measures for the benefit of a foreign citizen or a person without citizenship who are residing in the SFRY shall be determined according to the law of the SFRY, and they shall continue until the authorized country makes a decision or takes the necessary actions.

The regulation defined in paragraph of 2 of this article shall also be used in order to protect the property of the foreign citizen on leave and of the person without citizenship which is located in the SFRY.

#### Article 16

In order to declare a missing person dead, the country in which that person was a citizen at the time of his disappearance has the legal authority.

#### Article 17

A legal entity shall be subject to the law of the country in which it was founded.

If a legal entity has its existing headquarters in a country other than the one in which it was refounded, and if it is considered to be a part of this other country according to its law, then it shall be considered to be a legal entity of that country.

#### Article 18

For matters pertaining to the right of ownership and other laws concerning material objects, and to the right of ownership of publicly owned objects, legal authority belongs to the place where the object is located.

For the matters referred to in paragraph 1 of this article concerning material objects which are in transit, legal authority belongs to the locality of destination (appropriation).

For the matters referred to in paragraph 1 of this article concerning transport vehicles, legal authority belongs to the country in which the vehicle is owned, unless otherwise determined by regulations of the SFRY.

#### Article 19

Legal authority for a contract is the one chosen by the contracting parties unless otherwise determined by this law or by international agreement.

## Article 20

If legal authority was not indicated and if special circumstances do not refer to any other authority, one of the following shall be used to determine the right of legal authority:

- 1) for an agreement concerning the sale of movable property the right belongs to the place of residence or business of the seller at the time the bid was accepted;
- 2) for an agreement concerning a piece of work or a construction project, the right belongs to the place of residence or business of the worker (contractor) at the time the bid was accepted;
- 3) for an agreement concerning power of attorney, the right belongs to the place of residence or business of the representative at the time the bid was accepted;
- 4) for an agreement concerning mediation, the right belongs to the place of residence or business of the intermediary at the time the bid was accepted;
- 5) for an agreement concerning sale by commission, the right belongs to the place of residence or business of the commission agent at the time the bid was accepted;
- 6) for an agreement concerning shipping (freight forwarding), the right belongs to the place of residence or business of the shipper at the time the bid was accepted;
- 7) for an agreement concerning the lease of movable property, the right belongs to the place of residence or business of the leaser at the time the bid was accepted;
- 8) for an agreement about a loan, the right belongs to the place of residence or business of the provider of the service at the time the bid was accepted;
- 10) for an agreement concerning deposits, the right belongs to the place of residence or business of the acceptor of the deposits (depository) at the time the bid was accepted;
- 11) for an agreement regarding storage, the right belongs to the place of residence or business of the warehouseman at the time the bid was accepted;
- 12) for an agreement concerning transport, the right belongs to the place of residence or business of the freight-hauler (carrier) at the time the bid was accepted;
- 13) for an agreement regarding insurance, the right belongs to the place of residence or business of the insurer at the time the bid was accepted;
- 14) for an agreement concerning copyright, the right belongs to the place

of residence or business of the author at the time the bid was accepted;

15) for an agreement concerning a donation, the right belongs to the place of residence or business of the benefactor at the time the bid was accepted;

16) for matters concerning the buying and selling of securities, the right belongs to the place where the securities exchange is located;

17) for an agreement concerning independent back guarantees, the right belongs to the place where the business of the provider of the guarantee was located at the time the contract was signed;

18) for an agreement concerning the transfer of technology, (licensing, etc.) the right belongs to the place where the business of the recipient of the technology was located when the agreement was signed;

19) for property claims from labor contracts, the right belongs to the country in which the labor is being carried out or was completed;

20) for other agreements, the right belongs to the place of residence or business of the one who is offering goods or services at the time the bid is accepted.

#### Article 21

For agreements concerning real estate, the exclusive right of legal authority belongs to the country in which the property is located.

#### Article 22

In matters between contracting parties, unless otherwise agreed to by the contracting parties, the legal authority defined in article 20 of this law is also valid for:

1) determining the moment from when the acquirer, or the one who takes on the personal property, is entitled to the yield and the benefits of the goods;

2) determining the moment from when the acquirer, or the one who takes on the personal property, begins to bear the risk in connection with the goods.

#### Article 23

The legal authority of the place where goods are to be delivered includes, unless otherwise agreed by the contracting parties, the manner of delivery of the goods and the measures which are to be taken if the act of taking delivery of the goods is rejected by the recipient.

#### Article 24

As a consequence of renouncing a claim or taking over a debt, in accordance with a debtor or creditor who did not participate in the act of renouncing the claim or taking over the debt, the legal authority shall be the one

valid for the claim or the debt.

#### Article 25

In an accessory legal matter, the legal authority relevant to the principle legal matter applies, unless otherwise determined.

#### Article 26

For a unilateral legal transaction, the legal authority belongs to the place where the obligors have their residence or place of business.

#### Article 27

For an acquisition without proper grounds, the legal authority for the legal matter which had begun, had been prepared for, or had been presumed, in connection with which the acquisition had begun, shall be applied.

For operating a business without a permit, legal authority belongs to the place where the operation was carried out.

For liabilities for the use of objects exclusive of a business operation and for other extracontractual liabilities which did not come from responsibility for damage, legal authority belongs to the place where the event took place which incurred the liability.

#### Article 28

For extracontractual responsibility for damage, unless otherwise determined for specific cases, legal authority belongs to the place where the work was performed, or the right of the place where the result ensued, depending on which of the two laws is more favorable for the injured party.

The legal authority defined in paragraph 1 of this article is also valid for extracontractual responsibility for damage which ensued in connection with legal matters described in article 27 of this law.

For illegal business operations, legal authority belongs to the place where the operation took place or where the consequences became apparent, and if the operation took place, or the consequences became apparent in more than one place, it is sufficient that the operation was illegal according to the law of any one of these places.

#### Article 29

If an event resulting in liability for compensation of damage takes place on a ship, on the open sea, or on an airplane, the law of the country in which the ship is owned, or the airplane is registered is considered to have jurisdiction.

#### Article 30



For matters concerning inheritance, legal authority belongs to the country in which the deceased was a citizen at the time of his death.

To determine the capacity for making a will, legal authority belongs to the country where the legator was a citizen at the time the will was written.

#### Article 31

The will is valid if it conforms to one of the following laws:

- 1) the law of the place where the will was written;
- 2) the law of the country where the testator was a citizen either at the time he wrote the will or at the time of death;
- 3) the law of the testator's domicile either at the time the will was written or at the time of death;
- 4) the law of the place where the testator was residing either at the time of writing the will or at the time of death;
- 5) the law of the SFRY;
- 6) for real estate, the law of the place where the property is located.

Voiding a will is valid if this act is valid according to whatever law was in effect when the will was composed, in accordance with the regulations defined in paragraph 1 of this article.

#### Article 32

Legal authority regarding conditions for contracting marriage belongs to the country of citizenship of the person at the time the marriage takes place.

Even if conditions exist for contracting marriage according to the law of the country in which a person is a citizen, one who wishes to contract the marriage before an authorized organ of the SFRY will not be permitted to do so if there exists, according to the law of the SFRY regarding that person, an impediment in the form of an earlier marriage, a kinship to the potential marriage partner, or an incapacity for forming one's own judgment.

#### Article 33

For matters concerning the marriage, legal authority belongs to the place where the marriage was contracted.

#### Article 34

To determine the invalidity of a marriage (whether it is null and void), legal authority belongs to the law of the place where the marriage was contracted, as defined in article 32 of this law.

#### Article 35

The legal authority for divorce proceedings belongs to the country of citizenship of the married couple at the time the injury was endured.

If the husband and wife are citizens of different countries at the time the injury is endured, legal authority is the cumulative law of both countries of citizenship.

If divorce cannot be carried out according to the law determined in paragraph 2 of this article, the legal authority for the divorce belongs to the SFRY if either the husband and wife was domiciled in the SFRY at the time the injury was endured.

If either the husband or wife is a citizen of the SFRY who is not domiciled in the SFRY, and the marriage cannot be terminated in divorce according to the law determined in paragraph 2 of this article, the SFRY has the legal authority to carry out the divorce.

#### Article 36

To settle matters concerning the personal property rights of a married couple, the legal authority belongs to the country in which they are both citizens.

If the husband and wife are citizens of different countries, the legal authority belongs to the country in which they are domiciled.

If the husband and wife have neither the same citizenship nor the same country of domicile, the legal authority belongs to the country in which they last lived together.

If the legal authority cannot be determined by reference to paragraphs 1 to 3 of this article, legal authority belongs to the SFRY.

#### Article 37

For property relationships on a contractual basis between a husband wife, the legal authority is the one which was in effect at the time the agreement was signed which determined the personal property relationships.

If the law determined in paragraph 1 of this article allowed the married couple to choose which legal authority would be valid for their property agreement, then the legal authority which they chose is valid.

#### Article 38

If a marriage is voided or terminated, the legal authority determined in article 36 of this law is valid with regard to personal and legal property relationships.

With regard to cases cited in paragraph 36 of this law which concern contractual property relationships of the married couple, legal authority is determined in article 37 of this law.

#### Article 39

Property relationships of those who live together outside of marriage are governed by the legal authority of the country in which they are citizens.

If the persons described in paragraph 1 of this article do not have the same country of citizenship, legal authority belongs to the country in which they are both domiciled.

For property relationships which have been contracted by two persons living together outside of marriage, legal authority is the one which was in effect when the agreement which determined the property relationships was concluded.

#### Article 40

The relationships between parents and their children are governed by the legal authority of the country in which they are citizens.

If the parents and the children are citizens of different countries, legal authority belongs to the country in which they are all domiciled.

If the parents and children are citizens of different countries and are not domiciled in the same country, legal authority belongs to the SFRY if the child or one of the parents is a citizen of the SFRY.

Relationships between parents and children which are not provided for in paragraphs 1 through 3 of this article are governed by the legal authority of the country in which the child is a citizen.

#### Article 41

For the purpose of acknowledging, establishing, or challenging paternity or maternity, legal authority belongs to the country in which the person whose paternity or maternity is being acknowledged, established, or challenged was a citizen at the time the child was born.

#### Article 42

For determining liability for support among blood relations, except for between parents and children, or for liability for support among people related by law, legal authority belongs to the country in which the relative from whom support is being sought is a citizen.

#### Article 43

For legitimation, legal authority belongs to the country in which the parents are citizens, and if the parents are not citizens of the same

country, the country of that parent for which legitimation is valid.

If conditions for legitimation do not exist according to the law determined in paragraph 1 of this article, and the parents and the child are domiciled in the SFRY, the SFRY has legal authority.

If agreed to by the child, or an authorized person or government organ for matters concerning legitimation, legal authority may belong to the country in which the child is a citizen.

#### Article 44

For the purposes of establishing the conditions for adoption and for termination of adoption, the legal authority belongs to the country in which the adopter and the person to be adopted are citizens.

If the adopter and the person to be adopted are citizens of different countries, the conditions for adoption and for termination of adoption are determined by the cumulative law of the two countries in which they are citizens.

If a married couple jointly adopts a child, the conditions for adoption and for termination of adoption, in addition to the law of the country in which the child to be adopted is a citizen, are determined by the legal authority of the country of citizenship of both parents.

Adoption procedures are based on the legal authority of the place where the adoption is to be established.

#### Article 45

For implementing adoption procedure, legal authority belongs to the country in which the adopter and the person to be adopted are citizens at the time the procedure is initiated.

If the adopter and the person to be adopted are citizens of different countries, legal authority belongs to the country in which they are both domiciled.

If the adopter and the person to be adopted are citizens of different countries and are not domiciled in the same country, legal authority belongs to the SFRY if one of them is a citizen of the SFRY.

If neither the adopter nor the person to be adopted are citizens of the SFRY, legal authority belongs to the country of citizenship of the person to be adopted.

### Chapter 3 - Authority and Procedure

1. The authority of the courts and other organs of the SFRY in matters with an international component.

#### Article 46

Courts of the SFRY have authority if the defendant is domiciled or headquartered in the SFRY.

If the defendant is not domiciled in the SFRY nor in any other country, the courts of the SFRY have authority if the defendant maintains a residence in the SFRY.

If the litigating parties are citizens of the SFRY, the courts of the SFRY have authority, as well as when the defendant maintains a residence in the SFRY.

If there are several defendants in a legal proceeding with the quality of being material adversaries, the courts of the SFRY have authority when one of the defendants is domiciled or headquartered in the SFRY.

The courts of the SFRY have authority in legal matters which are decided outside of court if the person against whom the claim is brought is domiciled or headquartered (if a legal entity) in the SFRY, and when only one person participates in the proceedings if that person or entity is domiciled or headquartered in the SFRY, unless otherwise determined by this law.

#### Article 47

Courts of the SFRY have exclusive authority when explicitly stated by this or any other federal law.

#### Article 48

If a court of a foreign country has authority in a foreign country in cases against a citizen of the SFRY using juridical criteria not defined in regulations concerning authority of courts of the SFRY, these criteria will be used for establishing the authority of the courts of the SFRY in cases in which the defendant is a citizen of that foreign country.

#### Article 49

Legal participants may come to an agreement concerning the authority of a foreign court only if at least one of the participants is a foreign citizen or a legal entity with headquarters abroad, and if there are not criteria in the case which would give exclusive authority to courts of the SFRY according to regulations of this or any other federal law.

Legal participants may come to an agreement concerning the authority of the courts of the SFRY if at least one of the participants is a citizen of the SFRY or a legal entity with headquarters in the SFRY.

Regulations defined in paragraphs 1 and 2 of this article do not apply in matters involving authority referred to in articles 61 to 70 of this law.

#### Article 50

Whereas the authority of the courts of the SFRY depend upon the consent of the defendant in order to make judgment, consent is considered to have been given by the defendant upon submission of a response to charges brought against him or an objection to a fine levied against him, as well as if he does not challenge the authority or bring up such objection during the hearing.

#### Article 51

Whereas the authority of the courts of the SFRY is determined by the regulations of this law under the presumption that a legal participant is a citizen of the SFRY, this authority also exists for a person without citizenship who is domiciled in the SFRY.

The regulation of paragraph 1 of this article shall apply when appropriate to the authority of other organs of the SFRY.

#### Article 52

In cases against citizens of the SFRY who are living abroad in government service, or who have been sent abroad by a public organ, an organization of associated labor, or any other public legal entity, courts of the SFRY have authority if these persons are domiciled in the SFRY.

#### Article 53

Courts of the SFRY have authority in disputes concerning extracontractual liability for damage if this authority exists according to the regulations of article 46 and articles 50 to 52 of this law, or if the damage originated in the territory of the SFRY.

The rule of paragraph 1 of this article also pertains to cases against insurers of property and persons for the sake of compensation of damage by third parties based on regulations concerning direct liability of the insurer, and in cases concerning retroactive claims according to the principle of damage compensation against retroactive debtors.

#### Article 54

Courts of the SFRY have authority in disputes concerning claims to rights of ownership if the property of the accused or the object which is being sought by complaint is located in the SFRY.

Courts of the SFRY also have authority in cases resulting from liability which arose during the accused's stay in the SFRY.

#### Article 55

Courts of the SFRY have authority in cases against an adult person or a

legal entity which is headquartered abroad for liabilities which originated in the SFRY, or which were supposed to be performed on the territory of the SFRY, if that entity had a branch agency or office on the territory of the SFRY, or if an organization of associated labor which was entrusted with the performance of the business of that entity is headquartered in the SFRY.

#### Article 56

Courts of the SFRY have exclusive authority in cases involving the right of ownership of real estate in the public trust, in cases involving the right of ownership and other existing rights to real estate owned by citizens or civic legal entities, in cases resulting from interference of taking possession of real estate, and in cases which resulted from rental or hired relationships with respect to real estate, or from contracts concerning the use of apartments or business offices, if the real estate is located on the territory of the SFRY.

#### Article 57

Courts of the SFRY have authority in cases resulting from interference in taking possession of moveable property in accordance with the regulations of articles 46, 50, and 51 of this law, or if the interference originated on the territory of the SFRY.

#### Article 58

Courts of the SFRY have authority in cases concerning right of free use and concerning confirmation rights on airplanes, sea-going ships, and inland cruises which are publicly owned, concerning right of ownership and other rights on board ship and aircraft owned by private citizens and private legal entities, and concerning rental relationships with respect to aircraft and ships, when the aircraft or ship has been registered on the territory of the SFRY.

Courts of the SFRY have authority in cases resulting from interference with property on aircraft or on board ship from paragraph 1 of this article when the aircraft or ship has been registered on the territory of the SFRY, or when the interference originated on the territory of the SFRY.

#### Article 59

Courts of the SFRY have authority in cases involving property relationships between a husband and wife regarding property in the SFRY even when the defendant is not domiciled in the SFRY as long as the plaintiff is domiciled or has a residence in the SFRY when the charges are brought.

A court of the SFRY can make a decision concerning property located abroad, if the greater part of the property is located in the SFRY and the other part is located abroad, only in a dispute in which a decision is also being made concerning the property in the SFRY, and only if the defendant consents to let a court of the SFRY make judgment.



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#### Article 60

Regulations concerning the exclusive authority of the courts of the SFRY are not mitigated by the regulations of article 59 of this law which deal with property rights disputes.

The authority of a court of the SFRY in disputes concerning the property relationships between a husband and wife, according to the regulations of this law, exist without regard as to whether the marriage is intact or has ended, or if it has been voided.

#### Article 61

The authority of a court of the SFRY exists in cases establishing the existence or non-existence of a marriage, annulment or divorce (marital disputes) even if the defendant is not domiciled in the SFRY:

- 1) if both husband and wife are citizens of the SFRY regardless of where they are domiciled, or
- 2) if the plaintiff is a citizen of the SFRY and is domiciled in the SFRY, or
- 3) if the husband and wife had their last domicile in the SFRY, and the plaintiff was either domiciled or residing in the SFRY at the time the charges were brought.

If the accused husband or wife is a citizen of the SFRY and is domiciled in the SFRY, the authority of courts of the SFRY is exclusive.

#### Article 62

Courts of the SFRY have authority in disputes referred to in article 61 of this law when the husband and wife are foreign citizens who last lived together in the SFRY or when the plaintiff is domiciled in the SFRY, but only in cases in which the defendant consents to let the court of the SFRY make judgment and if the country in which the husband and wife are citizens permits this in its law.

#### Article 63

Courts of the SFRY have authority in divorce proceedings if the plaintiff is a citizen of the SFRY, and if the law of the country which would normally have authority does not provide for the institution of divorce proceedings.

#### Article 64

Courts of the SFRY have authority in cases establishing or contesting paternity or maternity even if the defendant is not domiciled in the SFRY:

- 1) if the plaintiff and the defendant are citizens of the SFRY regardless

of their domicile, or

2) if the plaintiff is a citizen of the SFRY and is domiciled in the SFRY.

Courts of the SFRY have exclusive authority in cases in which charges are brought against a child who is a citizen of the SFRY and who is domiciled or is residing in the SFRY.

#### Article 65

A court of the SFRY also has authority in cases referred to in article 64 of this law when the litigating parties are foreign citizens if the plaintiff, or one of the plaintiffs, is domiciled in the SFRY, but only if the defendant agrees to let the court of the SFRY make judgment, and if the regulations of the country in which he is a citizen permit this authority.

#### Article 66

A court of the SFRY has authority in disputes involving the care, raising, and upbringing of children who are under their parents' care even when the defendant is not domiciled in the SFRY, as long as both parents are citizens of the SFRY.

If the defendant and the child are citizens of the SFRY and if both are domiciled in the SFRY, courts of the SFRY have exclusive authority.

The regulations defined in paragraphs 1 and 2 of this article and in article 46 of this law shall be used when appropriate in order to determine the authority of other organs of the SFRY when they must make decisions involving the care, raising, and upbringing of children under parental care.

#### Article 67

Courts of the SFRY have authority in cases involving legal support of children even when the defendant is not domiciled in the SFRY:

- 1) if the child submits the charges and is domiciled in the SFRY, or
- 2) if the plaintiff and the defendant are citizens of the SFRY regardless of where they are domiciled, or
- 3) if the plaintiff is an underage child and a citizen of the SFRY.

Courts of the SFRY have authority in cases involving legal support not cited in paragraph 1 of this article even if the defendant is not domiciled in the SFRY as long as the plaintiff is a citizen of the SFRY and is domiciled in the SFRY.

Courts of the SFRY have authority in disputes involving legal support between persons who are married and between persons who were formerly married

if the husband and wife were last domiciled together in the SFRY, and if the plaintiff was domiciled in the SFRY at the time of the proceedings and subsequently.

#### Article 68

Courts of the SFRY have authority in disputes involving legal support if the defendant has property in the SFRY which might be used to pay for support.

#### Article 69

Courts of the SFRY have authority in determinations involving the dis-possession and restoration of parental license, the continuation of parental license, the placement of a parent in the position of guardian with respect to managing the property of children, the proclaiming of a child's birth to a married couple, and in determinations involving other matters which pertain to the special state and relationships which exist between parents and children, and also when no conditions from article 46, paragraph 4 of this law exist as long as the one who submits the claim and the person against whom the claim is submitted are citizens of the SFRY, or when only one person participates in the proceedings as long as that person is a citizen of the SFRY.

#### Article 70

Courts of the SFRY have authority in granting marriage licenses if those submitting the request are citizens of the SFRY or if one of those submitting the request is a citizen of the SFRY regardless of where those who wish to be married are domiciled.

Courts of the SFRY have exclusive authority if a minor who seeks a marriage license is a citizen of the SFRY, or if both persons who wish to be married are citizens of the SFRY, and the marriage is to be contracted abroad.

#### Article 71

Courts of the SFRY have exclusive authority for a hearing concerning property left by a will (inheritance) written by a citizen of the SFRY, if the property is in the SFRY.

If the bequeathed property left by a citizen of the SFRY is located in a foreign country, courts of the SFRY have authority only if organs of the country in which the real estate is located are not authorized by law.

Courts of the SFRY have authority for hearing cases involving moveable property bequeathed by a citizen of the SFRY if the moveable property is located in the SFRY, or if courts of the foreign country in which the moveable property is located are not authorized by law, or if authorized organs refuse to hear the case.

The regulations of paragraphs 1 to 3 of this article also refer to authority to be used in cases involving rights of heirs and those which involve the claims of creditors against an estate.

#### Article 72

Courts of the SFRY have exclusive authority in proceedings involving real estate bequeathed by a foreign citizen if the property is located in the SFRY.

A court of the SFRY has authority in proceedings involving moveable property bequeathed by a foreign citizen which is located in the SFRY unless the country of the testator does not authorize its courts to handle proceedings involving the moveable property of a citizen of the SFRY.

The regulations of paragraphs 1 and 2 of this article also refer to authority to be used in cases involving the rights of heirs and in those which involve the claims of creditors against an estate.

When courts of the SFRY do not have authority in proceedings involving property bequeathed by a foreign citizen, they must determine measures to be taken to insure the estate and to defend the rights of that part of the estate which is located in the SFRY.

#### Article 73

Courts of the SFRY have exclusive authority in proceedings involving real estate bequeathed by a person who has no citizenship, a person whose citizenship cannot be determined, or a person who has the status of a refugee, if the property is located in the SFRY.

Courts of the SFRY have authority in proceedings involving moveable property bequeathed by a person who has no citizenship, a person whose citizenship cannot be determined, or a person who has the status of a refugee, if the moveable property is located in the SFRY or if the testator was domiciled in the SFRY at the time of death.

The regulations of paragraphs 1 and 2 also refer to authority to be used in cases involving the rights of heirs and in those which involve the claims of creditors against an estate.

If the testator is not domiciled in the SFRY, the appropriate regulations will be used which are valid for proceedings involving property bequeathed by a foreign citizen, with the country in which the testator was domiciled at the time of death considered to be the foreign country in question.

#### Article 74

An organ of the SFRY has exclusive authority in decisions involving adoption and the termination of adoption of a person who is a citizen of the SFRY and who is domiciled in the SFRY.

An organ of the SFRY has authority in decisions involving adoption and the termination of adoption if the person who is adopting another is a citizen of the SFRY and is domiciled in the SFRY.

When a married couple together adopt another person, an organ of the SFRY has authority if either the husband or wife is a citizen of the SFRY and is domiciled in the SFRY.

#### Article 75

An organ of the SFRY has exclusive authority in matters involving the guardianship of a citizen of the SFRY regardless of where he or she are domiciled, unless otherwise determined by this law.

#### Article 76

An organ of the SFRY will not make a decision to take measures in matters involving the guardianship of a citizen of the SFRY who is domiciled in a foreign country if it determines that an authorized organ of the foreign country has made a decision or taken measures which have guaranteed the protection of the person, rights, and interests of the citizen of the SFRY.

#### Article 77

An organ of the SFRY will take the necessary temporary measures in order to protect the person, rights, and interests of a foreign citizen who is in the SFRY or has property in the SFRY, concerning which notice has been given by an organ of the country in which that person is a citizen.

An organ of the SFRY will make a decision and take measures concerning matters of the guardianship of a foreign citizen who is domiciled in the SFRY if an organ of the country in which that person is a citizen has not guaranteed the protection of his or her person, rights, and interests.

#### Article 78

A court of the SFRY is exclusively authorized to declare a citizen of the SFRY who has been missing to be dead, regardless of where that person has domiciled.

The death of a foreign citizen who died in the SFRY can be proven before a court of the SFRY according to the law of the SFRY.

## 2. Other regulations

#### Article 79

For determining the political and legal competence of an adult person, the law of the country in which he is a citizen has legal authority.

If a foreign citizen is not legally competent according to the rule given

in paragraph 1 of this article, and is legally competent according to the law of the SFRY, he is able to act in his own behalf in legal proceedings.

A legal representative of the foreign citizen referred to in paragraph 2 of this article may act on behalf of that person in legal proceedings only until the foreign citizen states that he himself is taking over the performance of the legal proceedings.

The legal authority provided in article 17 of this law is to be used for determining the political competence of a foreign legal entity.

#### Article 80

A court of the SFRY will discontinue legal proceedings at the request of a legal participant if the dispute is in process before a foreign court on the same legal matter between the same participants, and if:

- 1) the proceedings in connection with this dispute were first set in motion before the foreign court;
- 2) the matter concerns a dispute for which courts of the SFRY do not have exclusive authority
- 3) there is reciprocity.

#### Article 81

For the purpose of evaluating the authority of the court of the SFRY, the factors which existed when the legal proceedings began to take place are significant.

#### Article 82

When a foreign citizen or a person without citizenship who is not domiciled in the SFRY brings charges before a court of the SFRY, that person is obliged, on demand, to insure payment for legal expenses to the defendant.

The defendant is obliged to make the demand referred to in paragraph 1 of this article no later than at the preliminary hearing, and if a preliminary hearing is not held, at the first appearance at the trial before the hearing concerning the principal matter of the case is begun, or as soon as he is aware that conditions for demanding this insurance exist.

Insurance for legal expenses is to be given in cash, but the court may approve some other suitable form of collateral.

#### Article 83

A defendant does not have the right to insurance of legal expenses:

- 1) if citizens of the SFRY are not required to provide insurance in the



country in which the plaintiff is a citizen;

- 2) if the plaintiff has the right of asylum in the SFRY;
- 3) if the plaintiff's demand refers to a claim of the plaintiff resulting from his working relationship in the SFRY;
- 4) if the matter concerns marital disputes or disputes involving the establishing or challenging of paternity or maternity, or if it concerns legal support;
- 5) if the matter concerns negotiable notes or checks, countercharges, or the issuing of fines.

If there is doubt as to whether citizens of the SFRY, in reference to point 1 of paragraph 1 of this article, are obliged to provide insurance in the country in which the plaintiff is a citizen, the federal organ of the department authorized for the administration of justice will provide an interpretation.

#### Article 84

The court will determine the amount of insurance and the time in which it must be provided as part of the judgment in which the demand for insurance was accepted, and it will warn the plaintiff of the correspondence which are provided for by law if it cannot be proved that the insurance was given during the time specified.

If the plaintiff has not proved that he has given the insurance for legal expenses in the specified time, the charges will be considered to be dropped, or the plaintiff will be considered to have abandoned legal redress, as long as the demand for insurance was made only in connection with legal redress.

A defendant who has made his demand for insurance for legal expenses from the plaintiff on time is not obliged to continue with the legal proceedings concerning the substance of the case until his demand has been properly decided upon, and if the demand is adopted, until the plaintiff has provided the insurance.

If the court rejects the demand for insurance of legal expenses, it can rule for the proceedings to continue even before the decision concerning the rejection becomes valid.

#### Article 85

Foreign citizens have the right to be exempted from payment of legal expenses in accordance with conditions of reciprocity.

If there is doubt as to the existence of reciprocity, the federal organ of the department authorized for the administration of justice will provide an interpretation with respect to exemption from payment of legal expenses.

The principle of reciprocity referred to in paragraph 1 of this article does not represent the condition for implementing the right of exemption from payment of legal expenses.

A person without citizenship has the right to exemption from legal expenses if he is domiciled or is residing in the SFRY.

#### Chapter 4 - Recognition and Implementation of Foreign Decisions

##### 1. Recognition and implementation of foreign legal decisions

###### Article 86

A foreign legal decision is equal to a decision of a court of the SFRY and is legally valid in the SFRY only if a court of the SFRY recognizes it.

An agreement concluded before a court (judicial agreement) is also considered to be a foreign legal decision, according to paragraph 1 of this article.

A decision of another organ which is considered equal to a legal decision or legal agreement in the country in which it was made is also considered to be a foreign legal decision if it is regulated by the concerns provided for in article 1 of this law.

###### Article 87

A foreign decision will be recognized if the one submitting the request for recognition submits along with this decision confirmation of the authorized foreign court or other organ concerning the validity of this decision according to the law of the country in which it was made.

###### Article 88

A court of the SFRY will refuse to recognize a foreign legal decision if, in connection with the objection of the person against whom this decision was made, it establishes that this person was not able to take part in the proceedings because of illegal procedure.

Special consideration will be given if the person against whom the legal decision was made was not able to participate in the proceedings because he did not receive the summons, complaint, or verdict which originated the proceedings, or because absolutely no attempt was made to deliver same to him personally, unless he in any way has entered into the trial proceedings concerning the principle matter.

###### Article 89

A foreign legal decision will not be recognized if it pertains to matters which are under the exclusive authority of the courts or other organs of the SFRY.

If a defendant requests that a foreign legal decision be recognized which was made in connection with a marital dispute, or if the plaintiff requests this and the defendant does not oppose it, the exclusive authority of the courts of the SFRY will not interfere with recognition of that decision.

#### Article 90

A foreign legal decision will not be recognized if a court or other organ of the SFRY has made a valid decision in the same matter, or if a legal decision of another foreign country made regarding the same matter is recognized in the SFRY.

Courts will cease recognizing a foreign legal decision if legal proceedings are in process before a court of the SFRY which were set in motion earlier concerning the same legal matter and between the same participants, until a valid conclusion of those proceedings has been reached.

#### Article 91

A foreign legal decision will not be recognized if it opposes the Constitution of the SFRY as established by the principles of social order.

#### Article 92

A foreign legal decision will not be recognized if reciprocity does not exist.

The lack of reciprocity will not interfere with the recognition of a foreign legal decision which was made in a marital dispute, or in disputes establishing or contesting paternity or maternity, if a citizen of the SFRY is seeking recognition or implementation of the foreign legal decision.

The existence of reciprocity concerning the recognition of a foreign legal decision is assumed until proven otherwise, and if there is doubt as to the existence of reciprocity, a federal organ of the department authorized for the administration of justice will provide an interpretation.

#### Article 93

If the law of the SFRY should have been used while determining the personal status of a citizen of the SFRY according to this law, a foreign legal decision will be recognized when foreign law has been used if that decision does not essentially differ from the law of the SFRY which is used for similar conditions.

#### Article 94

Decisions of foreign courts which have reference to the personal status of a citizen of the country in which the decision was made shall be recognized in the SFRY without judicial examination in accordance with articles 89, 91, and 92 of this law.

If an authorized organ of the SFRY believes that a foreign legal decision refers to the personal status of a citizen of the SFRY, this decision will be subject to examination in accordance with articles 87 to 92 of this law in order to be recognized.

#### Article 95

If a foreign legal decision refers to the personal status of foreigners who are not citizens of the country which made the decision, the decision will be recognized only if satisfies the conditions for recognition in the country in which those persons are citizens.

#### Article 96

The regulations set forth in articles 87 to 92 of this law shall be used for implementing foreign legal decisions.

Those who submit a request for implementing a foreign legal decision, in addition to the confirmation set forth in article 87 of this law, must also submit confirmation concerning the implementation of that decision according to the law of the country in which it was made.

#### 2. Recognition and implementation of foreign arbitral decisions.

#### Article 97

A foreign arbitral decision is considered to be an arbitral decision which was not made in the SFRY.

Foreign arbitral decisions belong to the country in which they were made.

A foreign arbitral decision is also considered to be an arbitral decision which was made in the SFRY using legal procedure of the foreign country as long as it does not oppose regulations of the SFRY which are in force.

The foreign arbitral decision referred to in paragraph 3 of this article belongs to the country whose legal procedure was used in its determination.

#### Article 98

A foreign arbitral decision is recognized and implemented if the party which seeks recognition and implementation has submitted the following, along with the demand, to the court:

- 1) the original decision of arbitrage or a notarized transcript;
- 2) the original agreement concerning the arbitrage or a notarized transcript of it.

If a foreign arbitral decision or agreement concerning arbitration, or a notarized transcript of either, has not been made available in the language which is officially used by the court before which the proceedings for recognition and implementation of the decision are to be set in motion, the party seeking recognition and implementation of the decision must submit a translation of it to the court in the appropriate language, which has been performed by someone authorized to do this.

#### Article 99

Recognition and implementation of foreign arbitral decisions will be refused if it is established that:

- 1) the matter in dispute cannot be subject to arbitration according to the law of the SFRY;
- 2) courts or other organs of the SFRY have exclusive authority in the matter in question;
- 3) to recognize or implement the decision would be in violation of the Constitution of the SFRY as established by the principles of social order;
- 4) the principle of reciprocity does not exist;
- 5) the agreement concerning arbitration has not been contracted in written form or by exchange of letters, telegrams, or teletype communication;
- 6) the agreement concerning arbitration is not valid;
- 7) the party against whom recognition and implementation of the decision is sought has not been properly informed of the nomination of the arbitrators or of the arbitration proceedings, or for other reasons was not able to be notified of his rights in the proceedings;
- 8) the composition of the arbitration court or arbitration proceedings was not in accord with the regulations of the agreement concerning arbitration;
- 9) the arbitration court exceeded its authority as determined by the agreement concerning arbitration;

If the parts in a foreign arbitral decision which refer to the question which was subject to arbitration can be separated from the parts in which the court exceeded its authority, the parts of the decision in which the court did not exceed its authority can be recognized and implemented;

- 10) the decision has still not become final or considered executed for the participants or if an authorized organ of the country in which it was made or of the country on whose law the decision was based, has revoked or suspended it;
- 11) the statement of the arbitration decision is unintelligible or contradictory.

## Article 100

If proceedings for the annulment or suspension of the foreign arbitral decision have been set in motion before an authorized organ as referred to in article 99, point 10 of this law, the court may postpone its verdict concerning the request for recognition and implementation of the decision, and at the request of either a creditor or debtor, such a decision concerning postponement can be dependent on whether the debtor has provided the appropriate insurance.

3. Proceedings for recognizing and implementing foreign legal and arbitral decisions.

## Article 101

For purposes of recognizing and implementing foreign legal and arbitral decisions at the local level, the court in whose district the proceedings for recognition and implementation must be carried out is authorized.

The court will be limited to examining whether conditions referred to in articles 86 to 100 of this law exist, but if it considers it necessary, it may seek an interpretation either from the court which made the decision or from one of the participants of the proceedings.

One may file an appeal against the verdict concerning recognition and implementation of the decision within 15 days from the day the verdict is given.

A court of secondary jurisdiction will decide on appeals against the verdict referred to in paragraph 3 of this article.

If no separate verdict is made concerning recognition of a foreign decision, any court may make a decision concerning recognition of the foreign decision in its proceedings but the effect will only be valid for those proceedings.

Recognition of a decision of a foreign court in matters concerning personal status may be sought by anyone who has a legal interest.

## Chapter 5 - Additional Regulations

## Article 102

Citizens of the SFRY may contract marriage when in a foreign country before an authorized consular representative or a diplomatic representative of the SFRY who performs consular functions, if the country in which the representative of the SFRY is located does not oppose it or if it is provided for by international agreement.

The official who heads the federal organ of the department authorized for external affairs will determine the representatives of the SFRY before

whom the marriage ceremony may be performed between two citizens of the SFRY in a foreign country.

#### Article 103

Matters involving the guardianship of a citizen of the SFRY who is living abroad can be handled by a consular representative or a diplomatic representative of the SFRY who performs consular duties, if the country in which the representative of the SFRY does not oppose it, or if this is provided for by international agreement.

#### Article 104

A consular representative or a diplomatic representative of the SFRY who performs consular duties can compose a will for a citizen of the SFRY in a foreign country, according to the regulations which are in effect for the composition of a legal will.

#### Article 105

A consular representative of the SFRY, or a diplomatic representative of the SFRY in a foreign country who performs consular duties, can notarize a signature, a manuscript, and transcripts in accordance with international agreements and regulations of the countries of acceptance.

The official who heads the federal organ of the department authorized for external affairs determines how the matters referred to in paragraph 1 of this article are to be performed in detail with a general directive.

#### Article 106

Acknowledgement concerning federal, republic, and regional regulations which are in effect, or which were in effect, in the SFRY, in order to be used before organs of a foreign government, are issued by the federal organ of the department authorized for the administration of justice.

As acknowledgement of regulations referred to in paragraph 1 of this article, the name of the regulation, the date it went into effect or ceased to be valid, and a word for word text of the appropriate regulation will be cited.

### Chapter 6 - Provisional and Concluded Regulations

#### Article 107

Regulations of this law will not be used in matters which began before it went into effect.

#### Article 108

The day this law goes into effect, the following will cease to be in effect:



- 1) regulations of articles 28 to 32; article 70, paragraph 5; article 88, paragraph 1; articles 169 to 171; articles 178 and 222 of the Law concerning Legal Procedure (SLUZBENI LIST SFRY no 4/77, 36/77, and 36/80;
- 2) regulations of articles 16 to 22 of the Preamble to the Law concerning Legal Procedures (SLUZBENI LIST SFRY, no 4/57);
- 3) regulation of article 26 of the Basic Marriage Law (SLUZBENI LIST SFRY no 28/65);
- 4) regulation of article 29 of the Basic Law on Guardianship (SLUZBENI LIST SFRY no 16/65);
- 5) regulations of article 187 and 188 of the Law concerning Inheritance (SLUZBENI LIST SFRY no 42/65).

#### Article 109

This law goes into effect on 1 Jan, 1983.

9548

CSO: 2800

SIGNIFICANCE OF NEW CODE OF CANON LAW FOR SLOVENIAN CATHOLICS

Ljubljana DELO in Slovene 29 Jan 83 p 19

[Article by Stanko Ojnik: "Response to the Demands of the Times--on the New Code of Canon Law"]

[Excerpts] On Tuesday, Pope John Paul II proclaimed the Code of Canon Law which will go into effect on 27 November of this year. Thus, for the second time in this century, the Catholic Church has proclaimed a Code of Canon Law (the last Code was issued in 1917), which, on the whole, aims at socio-judicial regulation. The Code, which is divided into seven books, is intended for the future, but today's practices, which might be out of style tomorrow, are also legalized.

Let us mention the tasks assigned to the Slovenian Church as a result of the promulgation of the new Code of Canon Law: translation and legislative tasks.

At the recommendation of the chairman of the department of canon law in the theology faculties in Ljubljana and Maribor, the Slovenian bishops have established a translation commission which will soon be completing its work. The Slovenian Academy of Sciences and Arts will also be cooperating in this activity which is significant for our linguistic culture and, certainly, we are all very happy about this. Another very difficult task involves domestic church legislation. The Code leaves the settlement of numerous issues to the conferences of bishops. We Slovenians do not have our own conference of bishops but the Slovenian bishops have the power to rule independently on liturgical-religious questions in the Slovenian-speaking community. Since we have so much in common with all the peoples of Yugoslavia and since we live in the same socioeconomic system, probably the conferences of Yugoslav bishops will not be dissolved.

However, we Slovenians have our own government, our own language and our own culture, which has its own meaning, to such an extent that it will have to rule on matters independently. In the new legislation, it will be necessary to consider the Slovenian believer who is carrying out the social system of self-managing socialism with all its special characteristics and meanings. The office of the metropolitan or the monthly meetings of Slovenian bishops are not institutions which would be legally authorized

to perform such a task. The provincial council is such an extraordinary occurrence that it would not be able to resolve, in a satisfactory manner, current church problems for Slovenians.

The new code of law, certainly, is no miraculous cure for all difficulties faced by the faithful, but it is an effective means of fulfilling the expectations of the Christian community, if we become familiar with it and observe it.

CSO: 2800/136

## LCY PERSONNEL COMMISSION MEETS

LD102034 Belgrade TANJUG Domestic Service in Serbo-Croatian 1524 GMT  
10 Jan 83

[Excerpts] Belgrade, 10 Jan (TANJUG)--The attitudes and decisions of the 12th LCY Congress should be translated as soon as possible into a developed system of operative plans and programs of action. This was stated today at the session of the LCY Central Committee Commission for the Development of the LCY and Personnel Policy. This conclusion is particularly significant for the basic League of Communists organizations, whose activity is not yet at the necessary level. Spectacular results, true enough, cannot be expected yet in the short time, but the fact is that a significant number of organizations and leaderships continue to work as if the 12th LCY Congress had never been held.

The introductory report, submitted by Trpe Jakovlevski, stressed that in the period following the congress the problems of economic stabilization have been the mainstay of activity by League of Communists organizations and organs, though still chiefly within the frameworks of identifying weaknesses and their causes and exponents. In this, things have gone too far and thus the League of Communists organizations and leaderships have begun to concern themselves with the operational solving of problems. They have thus on one side demobilized the self-managing structures and on the other hand "freed" the management organs of their responsibility. A particular issue is the attitude of the League of Communists to the state and its institutions, Jakovlevski said, and noted that this organization cannot coalesce with every specific measure nor can it be the crucial factor of its practical realization because by such a practice the mass initiative of the working class and working people in the struggle for socialist self-management is being restricted.

Mika Spiljak stressed that the economic problems were at the center of attention of the League of Communists activity because this is what the situation demanded, but that it is not good that ideological issues have been neglected. Thus there are a considerable number of passive League of Communists organizations and members who are silent. A large number of members have left the League of Communists or they have been struck off party records, but the number of expelled members is very small. Spiljak also pointed out weaknesses in the cadre policy and presented the example

of a commune in which in 10 years only 46 persons were changed in 222 functions. Analyses show that there are also communes in which directors of large factories are also members at the same time of the most important forums and institutions, and they thus participate in the adoption of nearly all essential political and economic decisions. The phenomenon is also frequent of directors being elected for 1 year as presidents of organs of sociopolitical organizations, and thus the question has to be raised: If they are truly the best cadres, why do they not come from the trade unions or the League of Communists?

Asking the question whether we are wasting too much time through our concern for statistics, organizational issues and laying down norms of life in the League of Communists, Branko Mikulic noted that following the 12th LCY Congress the forms of linking up on the basis of actions was not realized enough in practice, one reason being that the procedure of implementing these forms was exceptionally complicated. Thus, for instance, if an action conference at the level of a composite organization of associated labor is required, at least 6 months have to elapse because it is not possible to convene such a conference and to organize it in less time. Formalism goes so far as to lay down the rules as to who will welcome the Central Committee member when he comes to the basic organization. In this context Mikulic stressed that the differentiation of League of Communists members with regard to ideopolitical issues is insufficient and is reduced to who pays the membership fee and who attends the meetings. Mikulic sounded a warning in this context about the increasingly explicit attempts by anticommunist forces to separate the League of Communists from the working class as well as about the tendencies to place the League of Communists in the function of strengthening the power of the techno-bureaucratic forces. The League of Communists must have firm attitudes on this, Mikulic said, noting that recently, because of the weakening of the organizational standards for action instead of specific activity, the same issues are discussed several times over in an identical way.

Asem Vlasi pointed out the disunity in attitudes in the League of Communists itself even when such an issue as nationalism is at stake and indicated the need for the ideopolitical differentiation being an interrupted process which would not be linked only with excess situations. Self-managing tendencies are still on the whole discussed in an abstract manner, Vlasi stressed and went on to describe the laborious coordinating process in the SFRY Assembly, which as later shown could be completed in 15 minutes, also as one of the aspects of nonself-managing behavior.

In closing the session Vojo Srzentic, chairman of the commission, stressed that there are positive changes in the League of Communists activity following the congress, that the state of political verbalism, of generalization in work and the feeling of helplessness as regards overcoming the difficulties is gradually being overcome. The most significant aspect is that we are on the way to arriving at a program of overcoming the fundamental causes of instability and of creating the prerequisites for better functioning of the sociopolitical system as a whole.

CSO: 2800/133

END